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New York Law School

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# NEW YORK LAW SCHOOL

MAGAZINE • 2013 • VOL. 32, NO. 2

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WE  
ARE  
NEW  
YORK'S  
LAW  
SCHOOL

SINCE 1891

New York Law School has partnered with NYC & Company, the City's tourism, marketing, and partnerships office to launch a street banner program. The banners on light posts around campus and the surrounding blocks declare our new motto: "We are New York's law school." They are a wonderful opportunity for the Law School to define its campus here in the heart of the City's legal and government headquarters.



**WE ARE NEW YORK'S LAW SCHOOL**



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## NEW YORK LAW SCHOOL MAGAZINE

2013 • VOL. 32, NO. 2

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## Transformational Times in Legal Education

By Anthony W. Crowell



At a time of profound structural change in the legal profession, and an unprecedented public debate over the state of legal education, New York Law School is making historic strides to adapt its programs and align itself with the new market. During my first year as Dean and President, we took bold and aggressive steps to reintroduce the law school and embark on new initiatives that embrace our rich history and bright future as “New York’s law school.” At its core, everything we are doing is to give our students and alumni every possible competitive advantage in New York City and beyond.

This issue of *New York Law School Magazine* details the steps we are taking to differentiate ourselves and enhance our reputation as innovators in this complex environment. It explains how we are charting a fresh course through the implementation of a new Strategic Plan that covers every aspect of the law school’s academic, career planning, scholarly, student and alumni engagement, fundraising, and operational activities.

We highlight how we doubled the number of our clinical and experiential learning offerings—from 13 to 26 in one year—to provide our students with the skills and knowledge needed to compete in today’s job market.

We explore our innovative new two-year J.D. Honors Program which will begin in January 2015, compressing three years of study into two, in an accelerated year-round format, designed for those who bring with them meaningful professional experience into our classrooms.

This issue also showcases four exceptional members of our alumni community who are making a profound difference, and who were honored at New York Law School’s most successful gala ever. The recent fundraiser generated more than \$1 million to support our students.

Finally, we celebrate two of our many exceptional and prominent faculty scholars: Jethro K. Lieberman, who recently published *Liberalism Undressed*, 40 years in the making, and Michael Perlin, who recently published *Mental Disability and the Death Penalty: The Shame of the States*.

I look forward to your involvement and support over the next year in implementing our Strategic Plan and all of our exciting and transformational new programs.

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# DEAN CROWELL UNVEILS NYLS STRATEGIC PLAN

By Ruth Singleton

As Anthony W. Crowell became Dean and President of the Law School in May 2012, legal education was in the middle of facing unprecedented challenges. The profession and the legal job market had not recovered from the Great Recession of 2008. Several major law firms had dissolved. News outlets and blogs—from *The New York Times* to *Above the Law* to sites set up by disaffected law graduates—were scrutinizing law schools as never before, with an emphasis on graduates’ difficulty finding jobs and their heavy debt loads.

Like many other law schools, New York Law School was confronting these challenges. In addition, the American Bar Association’s Section on Legal Education and Admission to the Bar had just completed a site visit in March 2012, and the ABA strongly urged the Law School to develop a planning process for its future. Further, the Law School had seen a decline in enrollment since its 2009 peak.

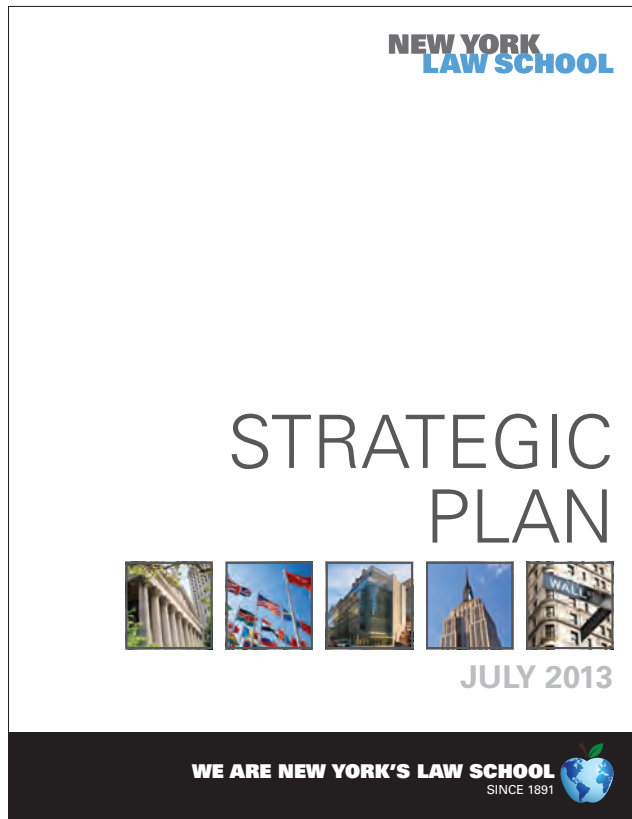
And so in summer 2012 Dean Crowell initiated a comprehensive reorganizational review and planning process that led to the NYLS Strategic Plan released this past July. The Law School embarked on the process to address these challenges, but on the other side of the balance sheet, it had much in its favor: a long history of innovation and resilience, an ideal location in lower Manhattan, new state-of-the-art facilities, and long-standing ties to New York City’s legal, government, and financial centers.

A draft paper released in August 2013 by Bernard A. Burk, Assistant Professor of Law at the University of North Carolina School of Law, “What’s New About the New Normal?,” suggests that the most recent economic downturn differs from previous ones because changes in the legal profession—from pressure on billing practices to legal process outsourcing—have led to a “New Normal.” NYLS Professor Edward A. Purcell Jr. has sounded a similar theme. In a speech given upon receiving the 2013 Outstanding Scholar Award from the Fellows of the American Bar Foundation, he said, “American law schools—and to some extent the entire legal profession—are enduring particular difficult times. The Internet, globalization, political pressures, economic constraints, and drastic changes in the way legal services are delivered are challenging us all.”

In addition, several major law firms, most notably Dewey LeBoeuf, have imploded in the years since the recession began. As Professor William LaPiana put it, “Who would have thought [30 years ago] that some of the major law firms would no longer exist?”

In the face of this transformed legal landscape, Dean Crowell quickly got to work on a strategic planning process with the aim of adapting to the new reality. In summer 2012, he initiated a listening tour that included one-on-one discussions with all constituencies of the NYLS community: faculty, trustees, alumni, students, staff, and administrators. The findings? “A consistent strain of thought was a universal appreciation for what the school is and what it can be,” said Dean Crowell. He observed that there was a great willingness and flexibility on the part of the faculty and administration “to do innovative things to help students.”

Initial steps also included online surveys, focus groups, town hall meetings, and other gatherings of the Law School community. Integrally involved in the planning process were Associate Dean and Professor Deborah N. Archer, Executive Vice President and Chief Strategy Officer Carole Post, Associate Dean for Institutional



Accountability Joan Fishman, Vice President of Marketing and Communications Nancy Guida, Vice President for Public Affairs Darren Bloch, and Associate Dean for Student Development Marianna Hogan.

Post oversaw a top-to-bottom operational review, which started in August 2012. The Law School, she said, made a deliberate decision to make the review internal. That way, participants would be motivated to contribute more, “and when it was over, they owned it.”

Post said the first step was to identify team members from among NYLS staff to represent various areas of the institution. “There was a wide range of talent across the organization,” she said. The 22 staff members chosen were divided among five teams focusing on core customer functions, back-office functions, satellite services, external-facing functions, and foundational support.

She noted that each team included both people experienced in the area of focus and those with no dealings at all, to offer a fresh perspective. Their assignment? “To dissect, or unpack, each functional area,” said Post—“to understand how and why it works, and how it could work better.” The teams used feedback methods such as interviews, shadowing, and focus groups, and reviewed past strategic plans. They recorded the feedback, identified solutions and recommendations, and continuously cycled back to validate findings with stakeholders. They then evaluated and prioritized their recommendations.

Among the findings were several inefficiencies. Said Post, “As the school has grown and become more sophisticated, the policies, processes, and technology have not always kept pace....Many business processes have been altered ad hoc or layered, resulting in inefficient or manual processes.” Ultimately, 94 prioritized initiatives were organized into 13 project “buckets.” Many of them, “the low-hanging fruit,” have already been implemented, said Post. She noted as one example the process for requesting a transcript. At the time there were three different ways to do it. As a result of the review, the Law School “wiped the slate clean and made it all electronic and free.”

At the same time, a detailed budget process was under way: a comprehensive review of all expenditures across all departments, with an eye toward reducing costs and stabilizing tuition. Both the operational review and the budget exercise continued into 2013. These processes led to a Vision Statement for Strategic Planning that was published in March 2013.

Five faculty committees then formed, each to further develop one of the strategic goals: Academic Excellence and Innovation chaired by Dean Archer; Career Success, chaired by Dean Hogan; Intellectual Life, chaired by Professor Jethro K. Lieberman; Community Engagement, chaired by Professor Dan Hunter; and Operations, chaired by Professor Ross Sandler. “The chairs acted as facilitators, to make sure all perspectives were included,” said

Dean Archer, noting that every committee member was equally committed to the task.

The five faculty committees each met multiples times. Each committee drafted its section of the Strategic Plan and presented it to the faculty, who provided edits and feedback. That process lasted until May, when the faculty and Board of Trustees approved the Strategic Plan. The final version was released on the NYLS website at the end of July, and the print version was published in August. “The final document reflects the discussions we had been having over the course of the year,” said Dean Archer.

“At the end of the day, it was a faculty-driven process,” said Dean Crowell. The priority areas were the faculty’s purview, he said, and his role was to create a framework for the faculty to build the structure. “The whole faculty needs to be recognized for a level of commitment to the institution at an inflection point in its history.”

Dean Crowell also credited the participation of, and feedback from, alumni and members of the Board of Trustees. And he singled out three students who were significantly involved in the process through the Dean’s Leadership Council: Erik Lane, a 2L in the Day Division, and Trina Cornet and Michael Brady, 2Ls in the Evening Division.

The Strategic Plan itself is 33 pages long and includes an introduction by Dean Crowell, a brief history of the planning process, a new mission statement, the five strategic goals, and seven strategic outcomes. Each of the five strategic goals is discussed in detail in a separate section. A timeline at the end provides highlights of key milestones during the strategic planning process. The Plan is available on the web at [www.nyls.edu/strategy](http://www.nyls.edu/strategy).

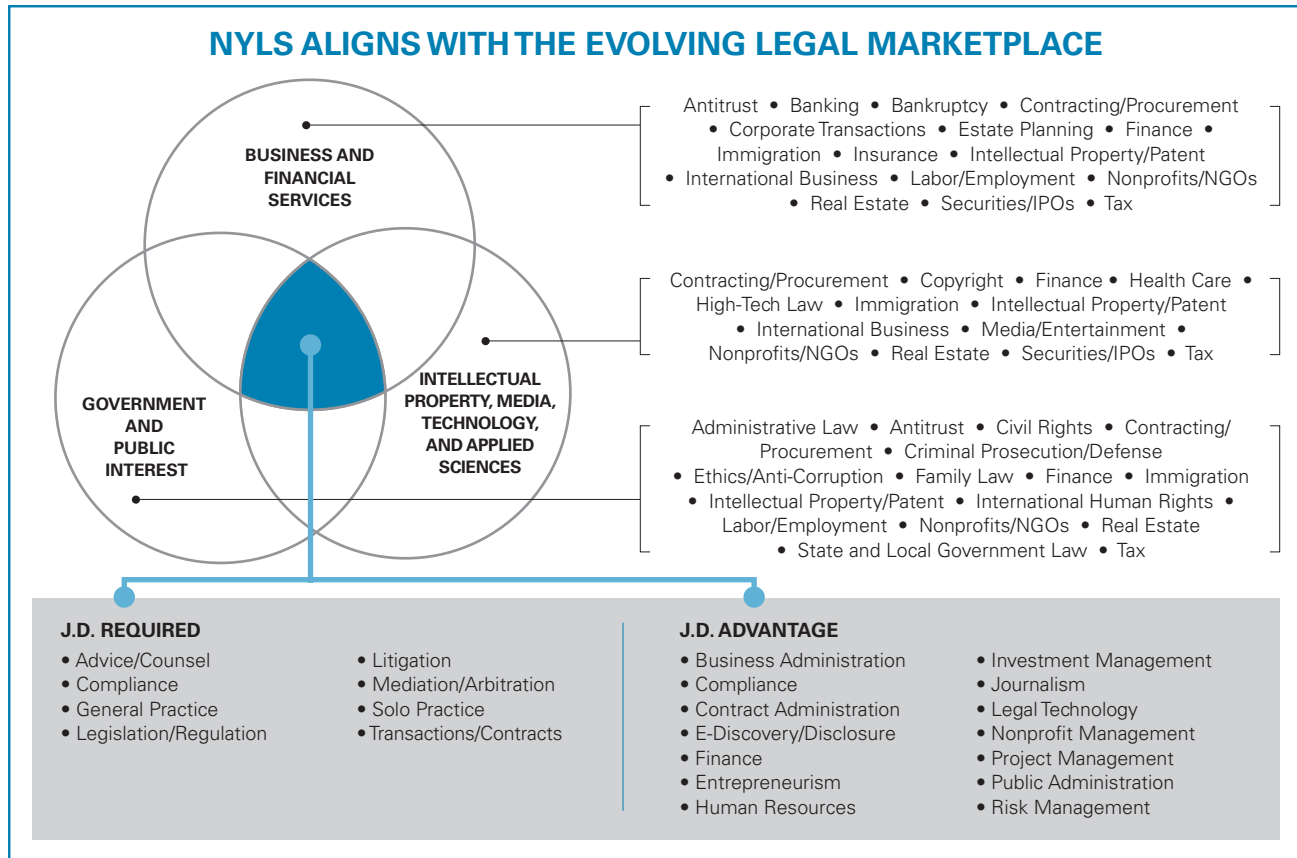
Dean Crowell said it was important to the Law School to set out specific goals and objectives as articulated in a new mission statement:

#### The Mission of New York Law School is:

To provide an extraordinary and innovative educational experience that embodies the fundamental values of the legal system and creates a bridge from scholarship and service to leadership and practice;

To offer a vibrant, diverse, and forward-thinking center of legal studies where students develop the knowledge, skills, and professional values to serve their clients and have successful careers advancing justice, building the economy, and serving the various needs of modern society; and

To serve as an incubator of ideas and actions to be emulated throughout New York City, the nation, and the world.



It is no accident that the Academic Excellence and Innovation area comes first in the Strategic Plan, as that section lays out precisely how the Law School plans to adapt to the transforming legal marketplace. The stated focus is aligning courses with student goals and the needs of the market. Here, the Law School's ties to New York City's legal, government, financial, and emerging tech centers come to the fore. The Strategic Plan states: "we will embrace, more than ever, New York City as our classroom by complementing a rigorous legal education with a growing and diverse set of uniquely New York experiential learning opportunities." Dean Crowell emphasized that point: "We need to leverage the most that New York City has to offer."

A Venn diagram in this section focuses on three crucial areas in the evolving legal marketplace, particularly in New York City: business and financial services; intellectual property, media, technology, and applied sciences; and government and public interest (see above). It illustrates the concept, "As the economy moves, so will NYLS." As the diagram makes clear, there are several practices—such as immigration, intellectual property, tax, and finance—common to all three groups. The diagram also lists a host of law-related careers, those for which the J.D. degree affords an advantage. Dean Crowell said the Venn diagram was included to demonstrate how many areas of practice are "interrelated and interdependent. There are specialty areas, and while professors understand how their specific field of expertise relates to the broader legal world, students need to understand that too."

Professor Ann Thomas pointed to the Venn diagram as an example of how the Strategic Plan is focused on the changing marketplace and what that means for legal jobs in the future: "Innovation is an important part of our culture as a law school at this point." She added that the Law School is "poised to make some very important contributions to both parts of legal education: the development of lawyers and the development of the law."

Professor LaPiana concurred. "In this town, financial services and technology" are significant industries, he said. Dean Crowell "is right to focus on them."

In addition, the Academic Excellence and Innovation section spotlights the Law School's clinics, noting that NYLS "has doubled its clinical offerings for academic year 2013-14 with the addition of 13 new clinics, for a remarkable and diverse 26 clinics in all, each guided by expert faculty and attorney supervisors." Featured initiatives include the Jump Start Program to enhance support for soon-to-be graduates taking the bar exam; efforts to refocus the eight academic centers; the newly launched Initiative for Excellence in Law Teaching; and the recently re-tailored Legal Practice Program.

Professor Thomas stressed how many of the initiatives mentioned in this section have already been implemented over the past year since Dean Crowell arrived and identified and prioritized them. "The new clinics are an important piece" of the Strategic Plan, she said, adding that with all the recent initiatives, "it's a great time to be a law student at New York Law School."

## STRATEGIC GOALS

The second section, Career Success, sets out as one goal providing “strategic guidance for every student from their first contact with the Law School until their graduation and beyond.” Among the other goals is tapping “the Law School’s network of alumni and supporters to provide guidance and opportunities to students and graduates and to strengthen existing, and develop new, pipelines to meaningful and productive career paths.” The plan details increased staff and expanded services at the Office of Career Planning.

Here as well, the Strategic Plan addresses how the Law School is adapting to a changed legal market. Professor LaPiana noted that, out of necessity, law schools “have invested far greater effort in getting law students prepared for a career.” Years ago, he said, “no one thought that networking would be that important.... But students are now joining bar associations, going to meetings, getting themselves known.”

The third section, Intellectual Life, affirms that “continued emphasis on the importance of scholarly pursuits is critical to the success of NYLS and must have programmatic support to increase awareness and visibility of the work that is done, using both traditional and new media techniques.” Professor Purcell’s remarks upon receiving the Outstanding Scholar Award inspired many aspects of the Strategic Plan (see page 31).

**Professor Purcell praised Dean Crowell for his strong support for scholarship at NYLS. “I applaud him....I certainly think that academic excellence and creating and maintaining a vibrant intellectual life” are crucial to the School.**

The fourth focus area, Community Engagement, sets among its priorities “strengthening connections among alumni and the NYLS community and “creating new strategic partnerships to elevate the status of the Law School and generate new financial support.” These efforts, too, will help students’ job prospects Among the planned initiatives are establishing a robust alumni communication and outreach plan; partnering with outside public interest legal organizations; and hosting or participating in numerous forums and events concerning legal, economic, civic, political, and social policy matters.

The final focus area is Operations. Most of the strategic priorities laid out in this section were set during the operational review, with a focus on three key principles: efficiency, technology, and service. Again, setting its sights on service to students, the first strategic priority is “making every effort to stabilize tuition and expand the availability of meaningful scholarships to the student body.”

If one were to succinctly summarize the entire Strategic Plan, these sentences from Dean Crowell’s introduction might do the trick: “New York Law School, like many schools, is facing challenges today. But we are confronting ours head-on and we are uniquely situated to adapt to the new reality of the job market and the profession.” Every page of the plan advances that strategy.



### 1. **Academic Excellence and Innovation:**

Ensuring Academic Excellence and Innovation by Aligning Our Offerings with Student Goals and the Needs of the Market.



### 2. **Career Success:** Supporting Students and Graduates in the Transition from Law School to Lawyer.



### 3. **Intellectual Life:** Supporting the Scholarly Community.



### 4. **Community Engagement:** Strengthening Partnerships and Connections Among Our Students, Faculty, Alumni, and Supporters Across the NYLS Community.



### 5. **Operations:** Driving Operational Efficiencies and Adopting a Culture of Transparency, Accountability, and Affordability.

Almost immediately after the plan was published in late July, the Law School received positive feedback. William H. Vidal ’07, an Assistant Corporation Counsel in the New York City Law Department, called it “an impressive and convincing document with a very strong forward....This is exactly what the school needed, a credible plan that establishes its core strengths.”

Dean Crowell said he also received enthusiastic responses from people in the business community, other law school deans, and students. Evening Division 2L Trina Cornet said, “Dean Crowell was interested in student feedback about the proposed plan and incorporated recommendations that the group offered. Though I have to say, the plan was well thought out, and the group suggested very few changes as a result. That Dean Crowell was interested in what students had to say and included us in the drafting stage is indicative that the students are a top priority for him.”

Professor Lieberman said the plan “covers a fairly wide front. It’s a broad, full-fledged attempt to say ‘this is what we need to be thinking about as we go forward.’” He added, “This is clearly a new climate for law schools. That’s what gives [the Plan] its interest. The real proof is we have to implement it.”

Dean Crowell similarly stressed that the Strategic Plan is just a starting point. It represents “a collaborative process, but implementation is the next phase of the collaboration.” The plan, he said, is “merely a framework to organize the actions that are needed to sustain and elevate the status of the School.

“I love the notion that it is the beginning of the process for the School to achieve new goals and achieve them together,” he said. “Not just faculty and administration, but our alumni and current students as well.” **f**





features |

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# ANNUAL GALA CELEBRATES FOUR GROUNDBREAKING ALUMNI

By LaToya Jordan





## HONORING

Hon. Ernst H. Rosenberger '58  
Gerald C. Crotty '76  
Cynthia G. Senko Rosicki '86  
Daniel J. Oates '86

The New York Law School 2012 Gala Celebration honored alumni for their groundbreaking careers, but it was also a groundbreaking night for the Law School: for the first time in history, more than \$1 million was raised at the Law School's annual gala.

Approximately 500 people attended the event held at Capitale in Chinatown on February 25, 2013, which, in the aftermath of Hurricane Sandy, was rescheduled from its original November date.

NYLS honored four alumni: Hon. Ernst H. Rosenberger '58, Of Counsel, Stroock & Stroock & Lavan LLP; Gerald C. Crotty '76, President, Weichert Enterprise LLC; Cynthia G. Senko Rosicki '86, Co-founder, Sparkling Pointe Vineyards and Winery, Founding Partner, Rosicki, Rosicki & Associates PC; and Daniel J. Oates '86, Chief of Police, Aurora, Colorado Police Department.

Justice Rosenberger, Mr. Crotty, and Ms. Rosicki each received the Law School's Groundbreaker Award for their work making a difference in the world, while epitomizing New York Law School's core values of embracing innovation, fostering integrity and professionalism, and advancing justice for a diverse society.

Chief Oates received the inaugural Dean's Award for Excellence in Leadership and Service for his extraordinary leadership and service in law enforcement and his dedication to New York Law School.

Two awards were presented during the cocktail hour. First, New York Police Department (NYPD) Commissioner Raymond Kelly presented the Dean's Award to Chief Oates, who began his career with the NYPD in 1980 as a street cop in Manhattan's 19th Precinct and worked his way up the ladder while attending NYLS's Evening Division.

By the end of his 21-year career with the NYPD, Chief Oates had become head of the Intelligence Division and was a member of the executive

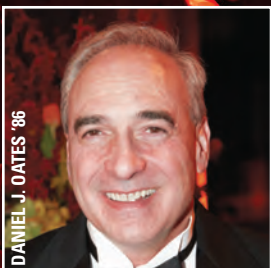
staff of Howard Safir, the New York City Police Commissioner. He became Police Chief in Ann Arbor, Michigan, in August 2001, and was named the city's first Safety Services Administrator within a year, taking on additional supervision of the Fire Department, Emergency Management, and Code Enforcement. He became Chief in Aurora in November 2005. In his eight years in office, the city of Aurora has seen a 30 percent reduction in crime. Of course, we all know about the summer of 2012's tragic Century 16 movie theater shootings. Since then, Chief Oates has spearheaded the criminal investigation of the shooting spree that left 12 dead and 58 wounded.

Of Chief Oates, Commissioner Kelly said, "Throughout the crisis, Chief Oates worked tirelessly to identify those killed and notify family members of the victims, while keeping the public informed, providing encouragement to his police officers, and restoring order to a devastated community. His calm leadership, his consistent command of the facts comforted not only Aurorans, but also Americans everywhere as they tried to come to terms with an unspeakable tragedy."

Also during the cocktail hour, former New York Governor Mario Cuomo presented Gerald C. Crotty '76 with a Groundbreaker Award for his embodiment of the values of integrity and professionalism. Mr. Crotty served as Governor Cuomo's Counsel in 1983 and as Chief of Staff from 1985 to 1991. He had previously served as Assistant Counsel to Governor Hugh L. Carey in 1979.

In presenting the award, Governor Cuomo noted that Mr. Crotty "has always been nothing less than a prime example of Webster's definition of both integrity and professionalism. Throughout Gerry's eight and a half years as my counsel and secretary he exemplified both those character traits," as they worked closely together on matters pertaining to New York State.

Mr. Crotty is currently President of Weichert Enterprise LLC, a private equity investment firm





he co-founded in 2001 with interests in power, business services, distressed banks, and industrial companies, with its largest commitment in the power sector. He is a Vice Chair on the New York Law School Board of Trustees and is also a member of the board of Fordham University.

Following the cocktail hour, guests dined while enjoying video presentations featuring the co-workers and friends of the Groundbreaker Award recipients discussing how the honorees exemplified the Law School's core values.

Justice Rosenberger '58 was recognized for advancing justice for a diverse society. He is Of Counsel at Stroock & Stroock & Lavan LLP. Prior to joining Stroock in 2004, Justice Rosenberger had served for nearly two decades as an Associate Justice of the New York Supreme Court Appellate Division, First Department. Justice Rosenberger has also held the seats of Justice of the New York Supreme Court (1977–85), Acting Justice of the New York Supreme Court (1973–76), and Judge in the Criminal Court of the City of New York (1972–76).


His commitment to justice goes back to his early postgraduate years. He volunteered his services in the defense of the “Freedom Riders” arrested in 1961 in Jackson, Mississippi, and worked on public accommodation and voting rights cases throughout the South in the 1960s.

During Justice Rosenberger's video, he thanked the Law School for providing him with a law degree that opened many doors

for him. “Doing the Freedom Ride defense was one of the high points, not only of my career, but one of the high points of my life, and without New York Law School having made me a lawyer, I wouldn't have had that opportunity,” he said.

Cynthia G. Senko Rosicki '86 was honored for embracing innovation, even when others advised her not to. She is a founding partner of Rosicki, Rosicki & Associates, a law firm that employs approximately 400 people, 20 percent of whom are disabled. With her husband, Ms. Rosicki is a co-founder of Sparkling Pointe Vineyards and Winery on Long Island's North Fork.

Sparkling Pointe is the only winery in New York State dedicated to the production of sparkling wine, which was served to gala attendees during the cocktail hour. Ms. Rosicki serves on the boards of directors of the Kosciuszko Foundation and the Association for the Help of Retarded Children (AHRC).

“I am extremely proud to be the Dean and President of this law school, which provided the educational foundation on which our honorees have built their careers,” said Dean Anthony W. Crowell, who served as emcee for the evening. “These notable alumni demonstrate that lawyers can be a force for societal change, business growth, and innovation. New York Law School continues its commitment to preparing our students to go out into the world and, following in the footsteps of our honorees, change for the better every part of the world they touch.” 





# New York Law School's New Two-Year J.D. Program Is First in Nation to Reduce Cost by a Third

By Ruth Singleton

"New York Law School will offer an educational experience unlike any other accelerated program, one that serves as another example of how we are creating learning opportunities that are unique and take advantage of all New York has to offer."

—Dean Anthony W. Crowell

On August 23, 2013, President Barack Obama, in a speech addressing ways to make education more affordable, suggested that law school be shortened from three years to two.

"Now, the question is can law schools maintain quality and keep good professors and sustain themselves without that third year," Obama said. "My suspicion is, is that if they thought creatively about it, they probably could."

(continued on next page)



His speech hardly took place in a vacuum. A number of law professors have recently been advocating for a two-year program as a way of reducing the high cost of law school, and both mainstream and legal publications have covered the topic extensively.

So far, the American Bar Association has not reduced the number of credits required for a J.D. degree, so the only viable way for a law school to go down to two years is to create an accelerated program.

But until recently, none of the handful of law schools offering such a program has made it any more affordable than a three-year program.

New York Law School is the first exception.

In early September, Dean Anthony W. Crowell announced a two-year J.D. honors program that will cost no more than two-thirds of a traditional J.D. program. Candidates for admission to the program, which will begin in January 2015, will be expected to have completed at least two to three years of meaningful professional work experience or possess unique academic credentials.

Because it is an honors program, admission to the NYLS accelerated program will come with at least a \$25,000 merit scholarship per year for each of the two years, for all enrolled students.

The accelerated, year-round program was designed by the Law School's Faculty Committee on Innovation, launched by Dean Crowell shortly after joining NYLS as Dean and President in May 2012. One year later, the Committee, which included members of the Board of Trustees, presented the two-year honors program to the full faculty, which approved it unanimously.

**"We're offering an innovative, accelerated honors J.D. program, requiring an exceptional commitment to year-round, intensive academic work," said Dean Crowell. "The program focuses on key growth sectors of the City's economy: business and financial services; government and public interest; and intellectual property, media, and technology. The Law School will also guarantee postgraduate fellowships to all two-year honor students through partnerships with firms, companies, nonprofit organizations, and government agencies."**

The new program is the latest initiative announced by NYLS, following the recent news of the Law School's historic doubling of its clinics, from 13 to 26, in just one year (see Page 16). It is laid out in NYLS' recently released Strategic Plan, outlining key changes that are being implemented at the law school (see Page 2). The Strategic Plan emphasizes the importance of reducing the financial burden on students, stating that the Law School has "undertaken

a thorough review of budgets to eliminate or reduce spending where appropriate, with an eye toward stabilizing tuition costs and increasing scholarships."

"New York Law School will offer an educational experience unlike any other accelerated program, one that serves as another example of how we are creating learning opportunities that are unique and take advantage of all New York has to offer," said Dean Crowell.

**"The two-year honors program capitalizes on our top-notch faculty, strong academic programs, and ability to connect to individuals, groups, and enterprises working in areas of law including New York City law, real estate law, intellectual property law, public interest law, and more," said Associate Dean of Academic Affairs Deborah N. Archer. "By offering this type of curricular focus, NYLS is able to attract students with solid work experience or proven interest in these fields and structure the curricula accordingly."**

"This will be very attractive option for the candidate seeking a legal education who has strong credentials and the drive to complete such a rigorous program" said Admissions Dean Adam W. Barrett.

The NYLS two-year program received favorable coverage in *Crain's New York Business* and *The National Law Journal* after Dean Crowell announced it.

In addition, Dean Crowell was interviewed during "All Things Considered" on WNYC, the local National Public Radio affiliate, on September 4. During the interview, he, said, "I think that students today are looking for options to earn a J.D. degree in a shorter amount of time and leverage that experience...sooner in the marketplace."


He continued: "The program that we are creating is one that takes our traditional curriculum and compresses it into a two-year span and allows students to still get the benefit of clinical and experiential learning along the way, as part of those two years. So it still gives them the skills and training needed to enter the workforce at a competitive advantage. And, in addition to that program, after they graduate, we're offering a one-year postgraduate fellowship alongside that to further enhance their professional credentials and get them out to the legal marketplace and practicing as attorneys."

Dean Crowell emphasized that the students accepted will be exceptionally talented and endurance tested, with the experience to handle the rigors of the program: "It's an honors program and it goes year round. So students aren't going to have the long winter



Dean Anthony W. Crowell discusses New York Law School's two-year J.D. honors program in an interview with Lee Pachia '06 of Bloomberg Law.

and summer breaks that they traditionally have in a three-year program. They'll be doing course work and getting experience along the way during those periods. We'll also be focused on attracting students who have significant work experience into the classroom. We've found that over the years those who have entered as part-time students and continued to work full-time have added great dimension to the classroom experience. We think that by offering a full-time program and bringing those students into the law school environment that they'll add a great benefit and get a lot out of a program that offers an education in a two-year period."

Dean Crowell concluded the interview by stressing the cost savings of the NYLS program: "Education in general these days is expensive, and I think we're all grappling with ways in which to reduce costs for students. This program...is honors as I said, and gives students a substantial scholarship for each of the two years, bringing down their cost by a third. But we are obviously focused on creating as meaningful a curriculum as possible, and giving them an opportunity at the most valuable experience available." 



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**WE ARE NEW YORK'S LAW SCHOOL**

# Sports Law Symposium: BIG Leagues, BIGGER Business

By Thomas Adcock



Matthew Pace, right, a partner at Arent Fox LLP, moderates the Negotiating Media Rights Acquisitions panel at New York Law School's fourth annual Sports Law Symposium. From left to right: panelists Frank Saviano, an associate at Proskauer Rose; David Mayer, principal counsel at ESPN; and Frank Golding, YouTube director and head of sports for North America at Google.

The business of sports in America is big—averaging \$24 billion in annual revenues alone—and growing bigger every year. Small wonder that young lawyers seek careers in an industry that appears to be recession-proof.

Accordingly, attendance was heavy and presentations lively at the fourth annual NYLS Sports Law Symposium on February 22.

One burning topic at the event—the headline-grabbing lawsuits against the National Football League brought by retired players with mental injuries disproportionate to the standard population—has since reached a tentative resolution. On August 29, the NFL announced that it had agreed to settle with 4,500 players and their families for \$765 million. The players had

alleged that the NFL failed to warn them about the long-term dangers of concussions and had failed to regulate the sport so as to prevent brain injuries. The settlement is awaiting approval from Judge Anita B. Brody of the U.S. District Court for the Eastern District of Pennsylvania.

NYLS Professor Jodi S. Balsam, who was counsel for operations and litigation at the NFL before joining the New York Law School faculty in 2011, was among 18 experts in sports law and economy who spoke at the symposium. Besides NFL litigation, panel topics included personal bankruptcy among professional athletes, media rights, and employment prospects for law students interested in careers in sports law.



Professor Jodi S. Balsam talks with Frank Hawkins of Scalar Media Partners.



Robert Boland talks to students during a break.



Prof. Robert Erb '91 participates in the Q&A during the concussion panel.



On the issue of concussion litigation, both players and the NFL had strong cases before the court—and similarly strong motivation to settle, said Professor Balsam in a September interview. The lawsuit was a “public relations nightmare” for the league, she said. As for brain-injured players in financial distress, “They’re needy, they’re deteriorating, they need the money now. It doesn’t help them to litigate for five or 10 years.”

Professor Balsam said the players’ original demand was thought to be \$2 billion, making the proposed settlement figure of \$765 million “good for both parties [and] well-timed” in advance of the new NFL season. Plus, the agreement obviates a defense motion on the question of whether plaintiffs should have resolved their claims through the collective bargaining process rather than litigation.

For the “Big Four” sports leagues—football, baseball, basketball, and hockey—a combined \$24 billion in annual revenues is “just the tip of the iceberg” in a steadily rising economy, a January report from Houston-based Plunkett Research stated. When related enterprises are added, such as athletic equipment manufacturing, “a reasonable estimate of the total U.S. sports market would be \$400 to \$435 billion yearly.”

In a previous interview, Professor Balsam said, “Sports became big business probably as early as the 1970s. Its transition to managed industry came when players pushed to unionize, recognizing there was a lot of money here.

“Then came a huge jump in franchise value in the ’80 and ’90s,” she added. “All of a sudden, people successful in businesses outside sports realize these were not just rich men’s toys, but solid investments.”

While the return on sports team investment is brisk for the ownership class, players fare considerably worse with their portfolios. Many fail to invest during their high-earning years, or make poor investment choices, or squander themselves into insolvency.

According to a study conducted by *Sports Illustrated* magazine, 78 percent of pro footballers go bankrupt in retirement. For linemen, that comes as early as age 28, according to league statistics, with punters and kickers occasionally lasting until age 40. Average retirement age is 33. That topic made for a lively discussion at the symposium

“These guys should know they need Financial Literacy 101,” said Robert A. Raiola, sports and entertainment group manager at the New Jersey accounting firm Fazio, Mannuzza, Roche, Tinkel, LaPilusa. “A failure to plan is a plan for failure.”

Financial planning courses for today’s players as a collective bargaining issue might address bankruptcy, and would certainly be desirable, suggested the panelists.

“But it would be very difficult,” said Jeffrey Levitan ’83, a partner at Proskauer Rose. “Negotiations are complex enough.”

“It’s possible for teams to have financial courses, but that opens the league to liability,” said Frank Hawkins, an attorney and founding member of Scalar Media Partners of New York, as well as a former NFL executive.

He noted a recent lawsuit against the NFL due to a team’s referring players to a financial consultant “not as bad as [Bernard] Madoff, but close.”

Raiola suggested the most effective way for a sports lawyer to help financially at-risk players would be to broker a locker room intervention on the sorry history of players who were pulling down big money at tender age.

“Get an ex-player to come back and talk,” said Raiola. Younger players “don’t want to hear it from a guy in a suit.”

Addressing the topic of media rights, symposium speakers noted that, by way of Internet advancements, attorneys are working to help increase the already hefty sports sector of the national economy.

From left to right: Robert Raiola, Frank Hawkins, and Jeffrey Levitan '83 on the Bankruptcy Issues in Sports panel.



For instance, Frank A. Saviano, an associate at Proskauer Rose, negotiates shared revenues on behalf of YouTube for links to game coverage on minor league Web sites.

**“A forward-looking lawyer should “always want to be moving” toward technological advance, said Saviano, because slowly but surely “the way people consume sports is shifting.”**

Similarly, said David Mayer, principal counsel at ESPN, a niche broadcast company such as his should “always want to hold back as many rights as possible” in anticipation of media innovation.

Meanwhile, ESPN and cable TV sports outlets such as MSG Networks and Fox Sports might link to YouTube to “promote rather than monetize,” said Frank Golding, former assistant general counsel at ESPN and now YouTube director and head of sports for North America at Google.

Lucrative trade in traditional media rights continues apace. Saviano said Time-Warner recently paid \$7.5 billion to the Los Angeles Dodgers for local broadcast rights to its baseball games.

Golding said that the future for sports fan promises a surfeit of content and media fragmentation.

“We produce twenty times the amount of content the U.S. population can reasonably consume,” he said. “There is an implosion of second stream content. You will have choices.”

Joint sponsors of the symposium were the Institute for Information Law and Policy at NYLS, and the campus Sports Law Society. **f**

## TIPS ON BREAKING INTO THE SPORTS INDUSTRY

Meredith Wolff cut to the chase.

She imagined herself in a hiring position, and told a roomful of eager NYLS students the Number One thing not to say at a job interview.

“‘I’m a huge fan’ doesn’t make it,” said Wolff, a National Hockey League staff attorney since 2011. “We don’t hire ‘huge fans.’ We’re looking for good lawyers.”

Further succinct advice on joining a hot practice area was offered by a panel of young and not-so-young sports lawyers.

Robert Erb '91, CEO of Illinois-based Schutt Sports, a manufacturer of athletic equipment, said he looks for gumption in sizing up a prospective hires. He defined this quality as, “I can’t be smarter, but I can work harder.”

Networking and relationships—ideally through practical experience—are vital to career starts, according to all the panelists. That, and a healthy dash of chutzpah.

“Are you doing some kind of legal work? Are you working with people who care about you?” said David Mayer, who parlayed his own paralegal job at ESPN Sports TV while a student at Cornell Law School to his current post as the network’s principal counsel.

Job seekers should know that schmoozing with no immediate prospect of employment has two-way value, according to Darren Heitner, a partner at Miami-based Wolfe Law.

“If you’re a law student, of course I’ll take a meeting,” said Heitner, founder of sportsagentblog.com. “Law students know people. I’ve actually gained business from those meetings.”

He added, “You have nothing to lose by following up. In fact, we like that.”

J. Carlos Kuri, general counsel for the New York Red Bulls soccer franchise, found his way to sports law through a side door.

“You can go to work for a company associated with sports,” said Kuri, who first took a nonlegal job at Red Bull, bottler of the eponymous energy drink and owner of the soccer team. “I volunteered to do as much sports law work as I could when I got there.”

ESPN counsel David Soskin '08, urged NYLS students to consider life beyond the five boroughs.

“I’m from New York. I think the whole world revolves around New York, but actually that’s not true,” he said. “It’s okay to look outside.”

When looking, in New York or elsewhere, said Erb, “anything short of stalking” is admired as hustle.

—Thomas Adcock

# OFFERING MORE STUDENTS REAL-WORLD TRAINING

## NYLS DOUBLES THE NUMBER OF LEGAL CLINICS

By Thomas Adcock



This fall, for academic year 2013–14, New York Law School dramatically increased its docket of practical education by offering students a menu of 26 legal clinics—doubling the school’s longtime program of real-world experience, which translates to résumé credits especially valued by prospective employers.

In partnership with New York City municipal agencies and nonprofit organizations, the launch of 13 new clinics sees students representing the city in matters such as child welfare, civil rights, nonviolent criminal prosecution, administrative enforcement, and tort litigation. Additionally, they are working with the Legal Aid Society, the New York Civil Liberties Union, and other nonprofits.

“We’ve created a new opportunity for every day student and most evening students,” said Professor Frank A. Bress, director of New York Law School’s clinical programs. “Everyone who wants to enroll in a clinic is now able to do so.”

Bress noted a growing trend among U.S. law schools to “muscle up” clinical training, as he put it. At New York Law School, he said, “We’re at the front of that curve.”

In today’s tight job market, said Professor Bress, employers are “screaming for lawyers who are practice-ready, right out of law school. So we decided to move aggressively in that direction” by building on measurable successes in the “robust” externship program already in place, with students at city agencies and social interest organizations.

“We turned some of those externships into full-blown clinics,” said Professor Bress.

Dean Anthony W. Crowell and three others on the NYLS faculty—Deborah N. Archer, Associate Dean for Academic Affairs; Stephen J. Ellmann, Director of Clinical and Experiential Learning; and Professor Bress—were part of a faculty working group that ultimately realized formalization of the new program last December.

“As New York’s law school,” Dean Crowell said in an interview this spring with *The National Law Journal*, “it’s only natural that we embrace the city as our classroom, and grow the number of uniquely New York experiential learning opportunities.”

Manhattan District Attorney Cyrus R. Vance Jr. spoke of the convenience of partnership with neighboring New York Law School.

“The proximity of your campus and our office is to both our great benefits,” he said last October during an address at the 106th session of the NYLS City Law Center breakfast series. “The alumni of your school are well represented in the district attorney’s office, working on the more than 100,000 cases [we field] every year.”

In Vance’s office and elsewhere, said Professor Bress, “we’re placing our students where they get to work shoulder-to-shoulder with people able to hire them or recommend them to other agencies.”

With an expanded array of clinics, said Dean Archer, comes additional mentoring for more NYLS students.

“They’ll really get to hone their skills, by learning from representing clients and from working not only with full-time faculty but with lawyers still in the middle of their practice,” she said.





Each of the now 26 NYLS clinics will enroll from eight to 12 students, meaning that approximately 260 students per semester will gain important credits, mentoring, and pro bono hours—again, at double the previous figure.

“I certainly hope that [prospective] students will see that we have the kind of variety and depth of experience in our clinical program that will meet their needs,” said Dean Archer. “I don’t know of any other law school that has what we have now, both in the diversity of our offerings and how quickly we’ve brought it about.”

Dean Crowell has enlisted former colleagues from his days as Counselor to Mayor Michael R. Bloomberg to help in expanding the NYLS program. Thirteen new clinics would be too costly to administer in-house—or, as in the case of the district attorney’s office, impossible.

“We’re offering an incredible range of opportunities that give [our students] a unique vantage point,” Dean Crowell told the *New York Law Journal* in April. “There’s virtually no area of legal practice that isn’t being covered.” The Dean himself is teaching in the new Municipal Litigation Defense Clinic.

Significantly as well, the new program will increase pro bono options for students, who are now required to contribute 50 hours of volunteer lawyering as a condition of state licensure.

That pro bono mandate, issued by New York Chief Judge Jonathan Lippman in April 2012, was a key impetus in the faculty working group’s decision process that resulted in what Dean Crowell termed a “historic” advance for the NYLS clinical program.

“It spurred a discussion we’d been having for a long time on how to expand experiential learning,” said Professor Bress. To that end, he added, “We’ve been incorporating more and more skills training into the curriculum.”

In 2011, for instance, NYLS initiated “Legal Practice,” a two-semester requirement for first-year students. According to Professor Anne Goldstein, Director of Legal Practice, the course allows students to “see how analysis, research, and writing are interconnected with lawyering skills like client interviewing, counseling, and negotiation.”

Replicating the medical school model, 1Ls at NYLS work with actors in the roles of “standardized clients” in order to develop interviewing and fact-gathering techniques.

The expanded clinics program further employs the medical school paradigm in offering a select few 3Ls the chance to spend their final year in three 10-week clinical rotations—working on civil litigation matters at the Legal Aid Society and administrative law issues at the New York City Department of Health and Mental Hygiene, and also providing agency advice and counsel at the New York City Law Department.

More than 30 instructors are teaching the new clinical program—about a half-and-half mix of adjuncts and full professors, said Archer. This summer, said Professor Bress, instructors prepared for the fall with a series of six intensive modules in clinical methodology, supervision, and student critique.

Besides the city agencies and nonprofits mentioned, clinical students will be assigned to the Administration for Children’s Services; the Center for Justice and Democracy at New York Law School; the IRS Volunteer Income Tax Assistance program and the IRS/AARP Tax Counseling for the Elderly program; the Post-Conviction Innocence Project; New York City public schools; and the Disability Rights Information Center.

Additionally, students will provide transactional legal services for start-up businesses, entrepreneurs, and nonprofit groups. **f**





## NEW YORK CITY CHARTER: Symposium Explores its Past, Present, and Future

By Amelia Jonakait


On February 8, the *New York Law School Law Review* and the Center for New York City Law, hosted the symposium “Process, Powers, and Lessons for the Future: 25 Years of New York City Charter Revisions,” to reflect on the near-quarter century since the 1989 City Charter revision was enacted, and the revisions implemented thereafter.

Appointed by Mayor Edward I. Koch, the 1989 Charter Revision Commission proposed, and voters approved, the most thorough overhaul of the municipal government since the founding of the Greater City of New York in 1898. The revision expanded the powers of the City Council, enhanced the Mayor’s executive powers, created the Public Advocate, and redefined the powers of the Comptroller and Borough Presidents.

Since then, several Charter Revision Commissions have amended the original City Charter. According to keynote speaker Michael A. Cardozo, the New York City Corporation Counsel, this “allows the Charter to be a living document responsive to the challenges of the day.” Cardozo said, “the reason the Charter works is because it continues the central role of the Mayor while providing for appropriate checks and balances.”

In his introduction to the symposium, Dean Anthony W. Crowell, who had served with six recent charter commissions himself, honored the legacies of Frank K. Macchiarola (1941–2012), and Mayor Koch (1924–2013) to the City and Charter.

The symposium’s two panels addressed the history and future of the Charter. The first, “The Balance of Powers under the New York City Charter,” examined the allocation of powers following the 1989 Charter revisions, while the second, “Lessons from the 1989–2010 NYC Charter Revision Commissions,” focused on the process of revising the Charter and how that process affected the outcome, and addressed the future of city government as it prepares to elect a new mayor.

The panels featured numerous members of city government and former Charter Revision Commission participants including Dean Crowell, Dick Dadey, Elizabeth Fine, Ester Fuchs, Randy M. Mastro, Frederick (Rick) P. Schaffer, David Yassky, and Frederick (Fritz) A.O. Schwarz Jr., who was the chair of the 1989 Charter Revision Commission. 

Panelists, including Dean Anthony Crowell, discuss the balance of powers among the Mayor, Council, Public Advocate, and voters under the NYC Charter.



Dean Anthony Crowell with chairpersons and counsel to NYC Charter Revision Commissions from the past 25 years.



NYC Corporation Counsel Michael A. Cardozo delivers the keynote address on the NYC Charter as it relates to land use, procurement, and the City’s budget.







## THE LORAX AND THE LAW: *Law Review* Explores Civil Society through the Writings of Dr. Seuss™

By LaToya Jordan

On March 1, to celebrate the 109th birthday of Theodor Seuss Geisel, a/k/a Dr. Seuss, The *New York Law School Law Review* hosted a day-long symposium, “Exploring Civil Society through the Writings of Dr. Seuss.” The panelists included scholars from law, humanities, and philosophy, who examined how Dr. Seuss’ books addressed such important issues as tolerance, equality, civil and human rights, nuclear warfare, social and corporate responsibility, and more.


The event was co-sponsored by the Racial Justice Project and organized by NYLS professors Richard Chused and Tamara Belinfanti. Addressing the audience, Professor Belinfanti explained how she first connected Dr. Seuss and the law: “The beauty of Seuss is that he makes you realize how simple the answers are to what we think are the most complex of issues; he champions the underdog; he gives voice to the voiceless; and he compels us to question our humanity.”

The symposium featured four panels: “The Shared Interests in Society in *Horton Hears a Who*,” “Personal Rights of Identity in *The Sneetches* and *Yertle the Turtle*,” “The Nature of War in *The Butter*

*Battle Book*,” and “Business and Society in *The Lorax*.” A keynote address was given by noted scholar Donald E. Pease, Professor of English and the Ted and Helen Geisel Third Century Professor in the Humanities at Dartmouth College and author of *Theodor Seuss Geisel* (Oxford University Press 2010).

The symposium also featured guest appearances—a performance by spoken word artist Bryonn Bain; a performance of *The Zax* by the Law School’s youngest neighbors from the Buckle My Shoe Nursery School; and, as a special guest of honor: the Lorax, who appeared in model form and stood watch at the podium during the event.

The event was broadcast on C-Span and garnered media coverage in the *New Yorker*, *The Wall Street Journal*, *The Washington Post*, and WNYC New York Public Radio.

To watch the symposium, please visit the *Law Review*’s YouTube page [www.youtube.com/NYLSLawReview](http://www.youtube.com/NYLSLawReview). Papers presented at the symposium will be published in a forthcoming issue of the *Law Review*. 

Jessica Cornish-Berry 3L, Symposium Editor, and Anthony Lee 3L, Executive Editor, with a selection of Dr. Seuss books.



Buckle My Shoe Nursery School presents a reading of *The Zax*.



Donald E. Pease, The Ted and Helen Geisel Third Century Professor in the Humanities and Professor of English, Dartmouth College, delivers the keynote address.



## Introducing the Center for Business and Financial Law


By Andrea Juncos

In January 2013, NYLS launched the new Center for Business and Financial Law (CBFL), which provides J.D. and LL.M students with an unparalleled integrated approach to academic study and skills training in all aspects of corporate, commercial, and financial services law. Leveraging the Law School's proximity to New York City's financial district—and noted faculty in the areas of business transactions, corporate governance, and securities regulation—the CBFL provides a rigorous and robust experience for students looking to combine professional interests in law and business.

The new center consolidates aspects of two existing NYLS centers (Business Law & Policy and Financial Services Law) while adding additional faculty and resources to this area of focus. Through cutting-edge courses, events, projects, and research, the CBFL brings together academics, practitioners, and students to address the challenges that animate business and finance.

The CBFL's main areas of focus include:

- Deal School – focusing on transactional law education and skills development.
- The Financial Services Law Institute – focusing on the law and regulation of all aspects of the financial industry, including banks, broker-dealers, exchanges, asset managers, and investment funds.
- Project Start-Up – focusing on the legal and business challenges facing new and small businesses in the tech sector and beyond.
- The Corporate Values Project – focusing on researching and developing policy frameworks that respect and support the inter-connectivity of business and society.
- The Compliance Working Group (CWG) – focusing on promoting employment in the regulatory and compliance fields across a wide range of industries.


The Center for Business and Financial Law is co-directed by Professors Tamara C. Belinfanti and Houman B. Shadab; and Professor Howard S. Meyers is the Center's Associate Director. Professor Ronald H. Filler is the Director for the Financial Services Law Institute and continues to be the Program Director for the Law School's Graduate Program in Financial Services Law. He will play an active role in the new center. 

## Spotlight on the New Criminal Prosecution Clinic with the Manhattan DA

By Andrea Juncos

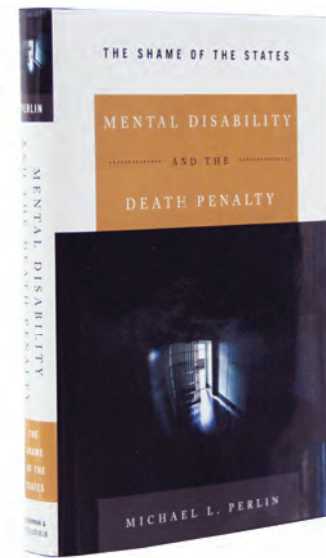
Manhattan District Attorney Cyrus R. Vance Jr. is working with New York Law School's Center for New York City Law to create a Criminal Prosecution Clinic. At an event hosted by NYLS on October 5, 2012, the District Attorney said the Clinic will be a central part of the "Quality of Life" Court Part, a new initiative established by the DA's Office in May 2010 in partnership with the Office of Court Administration.

NYLS is honored at the opportunity to build a formal partnership with the Manhattan District Attorney and his office. The Faculty looks forward to working with District Attorney Vance and his team to develop a program that will provide real-world educational opportunities to our top students while also providing valuable assistance to the District Attorney's Office.

A Criminal Prosecution Clinic in New York County gives New York Law School the unique distinction of supporting clinical programs within three of the five New York City District Attorneys' Offices (New York, Kings, and Richmond counties). The Clinics offer NYLS students an incredibly rich set of opportunities to develop tactical skills and experience in a particularly important and rewarding area of legal practice. Video of District Attorney Vance's remarks is available at [www.youtube.com/nyls](http://www.youtube.com/nyls). 

# PROFESSOR MICHAEL PERLIN EXPOSES SYSTEMIC PREJUDICE AGAINST DEFENDANTS WITH MENTAL DISABILITIES

By Jim Hellegaard



In his new book, *Mental Disability and the Death Penalty: The Shame of the States*, New York Law School professor Michael Perlin brings together the knowledge and experience he has gained over four decades of studying a problem that continues to plague the criminal justice system.

In the early 1970s, Perlin was a young public defender in New Jersey, representing patients at the Vroom Building—the state psychiatric hospital for the criminally insane, when the United States Supreme Court issued its landmark decision in *Jackson v. Indiana*, determining that the state violated due process by involuntarily committing a criminal defendant for an indefinite period of time solely on the basis of his permanent incompetency to stand trial on the charges filed against him.

“Armed with that decision and with the chutzpah that only a 27-year-old rookie public defender could have, I filed a class action suit against the state on behalf of the people at the Vroom Building,” recalls Perlin, adding that some of his clients had been institutionalized since 1928 without a hearing. “When the dust settled, of the 225 people there, 185 people were there illegally.”

It was all too obvious to Perlin that persons with mental disabilities faced an insurmountable prejudice in the courtroom. The experience had introduced him to two concepts—“sanism” and “pretextuality”—he would write about for years to come.

“During all of these trials I was so accustomed to the sort of eye rolling by the sheriff’s officers and the bailiffs and the prosecutors,” Perlin explains. “And I realized that nobody was taking my clients seriously.”

When he later read an article by physician, lawyer, and mental health advocate, Morton Birnbaum, describing this form of irrational prejudice and coining the term “sanism,” Perlin says he sat upright.

“I realized that this, sanism, was the key to everything that I had been dealing with,” he says. “I also realized, after dealing with all of these cases, how judges were very impatient if expert witnesses said something that did not meet what the judge wanted them to say. So the expert witnesses very, very often changed, modified or massaged their testimony to meet what the court wanted to hear. And that became pretextuality.”

**In his book, Perlin writes that we must “come to grips with the pernicious power of sanism and pretextuality” if we hope to find the answers to why the death penalty is used disproportionately in cases of persons with serious mental disabilities.**

Perlin also writes about his hopes for finding redemption of mental disability law in therapeutic jurisprudence, a concept originated by his friends, Professors David Wexler and the late Bruce Winick, who suggested the need for a new perspective to study the extent to which substantive rules, legal procedures, lawyers, and judges produce therapeutic and antitherapeutic consequences for individuals involved in the legal process.

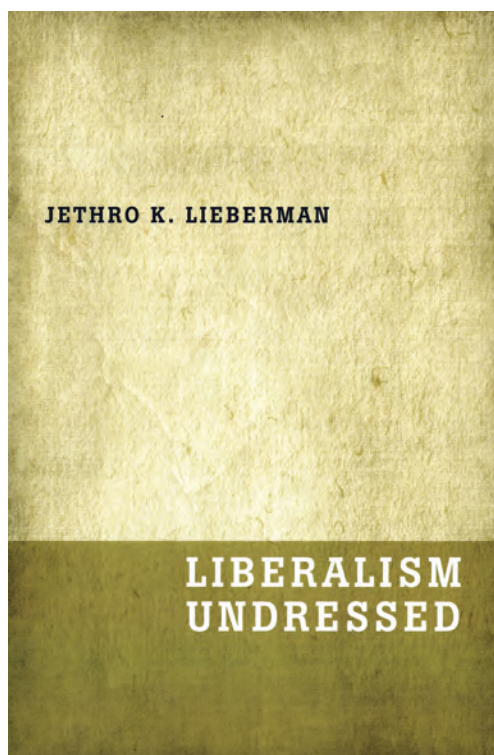
The U.N. Convention on the Rights of Persons with Disabilities provides even more reason for hope, Perlin believes. While the U.S. Senate recently failed to ratify the convention, he expects it will come up again and be passed. He calls the convention “the most important document ever on behalf of people with disabilities.”

“There’s no question that there is an invidious discrimination in the system against people with mental disabilities whose will is overborne by overzealous prosecutors, overzealous police officers, [and] confess to murder cases they didn’t commit,” he says. “I think the CRPD has the most emancipatory potential of any document that’s ever been ratified by the U.N.” ■



# PROFESSOR JETHRO K. LIEBERMAN'S 40-YEAR MASTER WORK, *LIBERALISM UNDRESSED*

By Diana Barnes-Brown



For Professor Jethro K. Lieberman, author of *Liberalism Undressed*, understanding liberalism is about understanding how we fundamentally conceive of government—a search that began for him in 1971.

Speaking from his office this April, Lieberman described how, over 40 years ago, he answered an ad from the Phi Beta Kappa Society offering Bicentennial Fellowships for books on crises in American life. His proposal, which would ultimately lead him to explore the roots of liberalism, was one of seven out of several hundred to win. It was the beginning of four decades of labor. The book was sold to Oxford University Press in 1972, before it was written, but the first draft was, in Lieberman's own words, "inadequate," and Oxford backed out.

The second draft wasn't finished in time for the 1976 Bicentennial, though parts of chapters were published in journals. But that draft, too, was incomplete. Thoughts of rewriting for a third time led him in 1983 to enroll in a Ph.D. program at Columbia University so he could force himself to do the necessary reading in political theory. But by then he was already teaching at NYLS, and the courses he was teaching got in the way of those he was taking.

Finally, in 1995, he finished the degree, and the third draft of his book was his dissertation. But publishers still didn't want it. "It was called 'Redress and Freedom' and sounded too much like a dissertation," Lieberman concluded. So he rewrote it a fourth time, while on sabbatical in 2007–08, and retitled it. This time he found a publisher—Oxford University Press. "One of the great moments I had," he remarked, "was at a lunch with the editor in 2011 when I told him,

**WHAT'S NEXT?** “I have in mind the problem of offensiveness. What should we do about the daily complaints from all over that people are being offended, insulted, mocked, and derided?” He plans to call it *Taking Offense*.

# LIBERALISM UNDRESSED

“This is the second time you guys bought the book!” *Liberalism Undressed*, or “version 4.67,” as its author thinks of it, was published in late 2012.

Discussing the book’s focus, Lieberman noted the myriad uses of the word “liberal” over the past two centuries, and cautioned that it is not useful as a political label or partisan term. His ambition is to move the emphasis away from politically opportunistic definitions and explore how the concept explains a growing worldwide commitment to certain values and rights, like freedom of speech, an independent bar, universal suffrage, and many more familiar practices that are now considered basic human rights.

“The basic question” [of liberalism], Lieberman explained, “is ‘when is it legitimate for the government to intervene in human affairs?’” Lieberman went back to the work of John Stuart Mill, who proposed, in what has come to be known as the “harm principle,” that individuals’ actions should be curtailed only if they may harm others. Working through the harm principle in far more detail than Mill and most commentators, Lieberman concludes that the principle largely unites the many underlying commitments that most who profess a belief in freedom and liberty, liberals and conservatives alike, share. But in Lieberman’s telling, the harm principle permits far more government intervention than that supposed by modern libertarians and far less intervention than would be welcomed by modern communitarians.

He suggests that the theme he traces is not merely theoretical, but is becoming accepted in the making of much modern policy, even among conservatives. Arguments against pornography, for example, are now being rooted in the harm it causes rather than because it is unsavory. Similarly, in the spring of 2013, several conservative states enacted laws limiting abortions, not on the ground that it is immoral but on the ground that it causes fetal pain.

The problems of how to define harm and how far the government may go in seeking to curb it run deep in most political debates. Not every misfortune is a harm, but many misfortunes are augmented by harmful human activity. Thinking about contemporary arguments over the “nanny state” (may the government ban large sugardrinks?), spending on damages from Hurricane Sandy (is it the taxpayers’ fault that the winds and waters destroyed shoreline homes?), and many others are all informed by the richly-textured analysis of *Liberalism Undressed*.

What’s next? “I have in mind the problem of offensiveness. What should we do about the daily complaints from all over that people are being offended, insulted, mocked, and derided?” He plans to call it *Taking Offense*.

Now closing in on his 70th birthday, Lieberman says: “I’m thinking of writing it a little faster.” ■



## FULL-TIME FACULTY ACTIVITIES

Compiled by Melissa Pentangelo

The following items represent a sampling of the activities of our full-time faculty from the Fall 2012 semester.

Seth D. Harris



Susan J. Abraham



Deborah N. Archer



Jodi S. Balsam



Robert Blecker



Lloyd Bonfield



Michael Botein



James Brook



**Seth D. Harris** became Acting Secretary of Labor following the resignation of Hilda Solis, serving in that role from January until July 2013. He is the 11th United States Deputy Secretary of Labor, nominated by Barack Obama in February 2009 and unanimously confirmed by the U.S. Senate in May 2009.

### **Susan J. Abraham** Scholarly Presentations

Organized and hosted the U.S. Court of Appeals for the Second Circuit sitting to hear its regular case docket at New York Law School with the NYLS Moot Court Association. Also organized and hosted a panel following arguments with two former Second Circuit clerks and a luncheon at NYLS honoring the Court of Appeals judges (October 2012).

Featured speaker on the ramifications of the invasion of privacy and bias intimidation conviction in the *New Jersey v. Ravi* trial at "Clarke Forum for Contemporary Issues," Dickinson College, Carlisle, Pennsylvania (September 2012).

Served as judge for final round of Froessel Moot Court Competition to select new group of students for the NYLS Moot Court Association (September 2012).

### **Publications**

*Amicus brief*, National Black Law Students Association, *Fisher v. University of Texas at Austin*, Supreme Court of the United States (October 2012) (with D. Archer and A. Francois).

### **Deborah N. Archer** Appointments

Associate Dean for Academic Affairs, New York Law School (September 2012).

### **Scholarly Presentations**

Panelist on the topic of *Fisher v. University of Texas at Austin*, George

Washington University, Washington, D.C. (September 2012).

Panelist, "Post-Civil Rights and Post-Racial—Teaching and Training the Next Generation of Advocates," at Southeastern Association of Law Schools Annual Conference, Amelia Island, Florida (August 2012).

### **Publications**

*Amicus brief*, National Black Law Students Association, *Fisher v. University of Texas at Austin*, Supreme Court of the United States (October 2012) (with S. Abraham and A. Francois).

Why We Need Race-Conscious Admissions, *THE NATIONAL JURIST* (October 2012).

The Soft Bigotry of Low Expectations, *THE HUFFINGTON POST* (October 2012).

### **Jodi S. Balsam**

#### **Scholarly Presentations**

"Grammar Games: Reinforcing Grammar Rules for Emerging Legal Writers," presented at the Legal Writing Institute Conference at New York Law School (December 2012).

Panelist, "Ethical Issues in Representation of Athletes," at the Brooklyn Law School Entertainment and Sports Law Symposium, Brooklyn, New York (November 2012).

Organized to host oral arguments before the U.S. Court of Appeals for the Second Circuit at New York Law School and post-argument panel on "Effective Oral Advocacy" with the NYLS Moot Court Association (October 2012).

### **Publications**

The Power of the Guided Journal: Out of the Classroom and into the Conference, *NEWSLETTER OF THE AALS SECTION ON LEGAL WRITING, REASONING, AND RESEARCH* (Fall 2012).

NFL Players Concussion Lawsuit: The Defensive Game Plan, *ABA LABOR AND EMPLOYMENT LAW NEWSLETTER* (Summer 2012).

### **Robert Blecker**

#### **Publications**

Permanent Punitive Segregation, *CITY JOURNAL* (October 2012).

#### **Media References and Appearances**

The Debate Over Capital Punishment, *THE HUFFINGTON POST* (November 2012).

Missouri's One-Drug Execution Plan Draws Some Critical Looks, *THE KANSAS CITY STAR* (August 2012).

Death Row Inmate Goes Out on Full Stomach, Ingests 29,000-Calorie Last Meal, *HOT AIR GREEN ROOM* (July 2012).

Commentary: Death Penalty, *VOICE OF AMERICA RADIO PERSIA* (July 2012).

### **Lloyd Bonfield**

#### **Publications**

DEVISING, DYING AND DISPUTE: PROBATE LITIGATION IN EARLY MODERN ENGLAND (Ashgate Publishing Company, June 2012).

### **Michael Botein**

#### **Scholarly Presentations**

"Ethics and the Internet," presented at American Lawyer Media, "IP Trademark, Copyright & Licensing Forum," New York City (October 2012).

### **Publications**

FCC Ancillary Jurisdiction Over Internet Broadband, *NEW YORK LAW SCHOOL MEDIA LAW & POLICY JOURNAL* (Spring 2013) and expanded version as *chapter in U.S. MEDIA REGULATIONS* (Wolters Kluwer, forthcoming, 2014).

### **James Brook**

#### **Publications**

PAYMENT SYSTEMS: EXAMPLES AND EXPLANATIONS (Wolters Kluwer, 5th ed., 2013).

PROBLEMS AND CASES ON SECURED TRANSACTIONS (Wolters Kluwer, 2nd ed., 2012).



## Heidi K. Brown

### Awards and Recognition

Awarded a Teaching Grant from the Association of Legal Writing Directors (February 2013).

### Appointments

The Board of the Association of American Law School's Section on Balance in Legal Education (December 2012).

### Scholarly Presentations

"Legal Writing Jumpstart," presented at the New York City Bar's "Boot Camp 2012" (October 2012).

### Publications

The Attorney Signature Block on a Brief: A Jumping-Off Point for Discussing Ethics, *THE SECOND DRAFT* (Fall 2012).

## Carol A. Buckler

### Media References and Appearances

NYLS Creates Pro Bono Initiative to Comply with New State Pro Bono Requirement, *THE NATIONAL JURIST* (September 2012).

## Kirk D. Burkhalter '04

### Media References and Appearances

Police Chief Heading Theater Shooting Probe is NYLS Graduate, *NEW YORK LAW JOURNAL* (July 2012).

## Eugene Cerruti

### Media References and Appearances

Ex-Goldman Sachs Programmer Charged, Again, Over Code Theft, *REUTERS* and *WALL STREET & TECHNOLOGY* (August-September 2012).

## Elizabeth Chambliss

### Scholarly Presentations

Participant, "Unlocking the Law" Conference at George Mason University School of Law, Fairfax, Virginia (November 2012).

Keynote Address at the "Twelfth Annual Conference on Substantive Technology in Legal Education and Practice," New York Law School (July 2012).

"Fragmentation and Integration in the Modern Law Firm," presented at the "International Legal Ethics Conference," Alberta, Canada (July 2012).

Panelist, "Empirical Research on the Legal Profession: Where We Have Been and Where We Are Going," Roundtable at the "International Legal Ethics Conference," Alberta, Canada (July 2012).

### Publications

It's Not About Us: Beyond the Job Market Critique of U.S. Law Schools, *GEORGETOWN JOURNAL OF LEGAL ETHICS* (forthcoming, 2013).

## Richard Chused

### Scholarly Presentations

Featured Speaker on the Culture and Law of Appropriation Art, Cardozo Law School, New York City (November 2012) and Georgetown University Law Center, Washington, D.C. (October 2012).

### Publications

Shock Therapy: *Marini v. Ireland*, chapter in *NEW JERSEY GOES A'COURTING: TEN LEGAL CASES THAT SHOOK THE NATION* (P. Trachtenburg, ed., Rutgers University Press, July 2013).

## Anthony W. Crowell

### Awards and Recognition

Honored by Brooklyn newspapers *THE HOME REPORTER* and *THE BROOKLYN SPECTATOR* as part of their second annual Kings of Kings County event. The event honors "Brooklyn's most influential movers and shakers whose major achievements and participation in the community help the city thrive" (September 2012).

Honored by the Brooklyn Chamber of Commerce with the "Building Brooklyn Award" (May 2013).

### Appointments

Named as a director on the Board of the New York City Economic Development Corporation (NYCEDC). NYCEDC's agenda includes an aggressive slate of programs aimed at diversifying the city's economy, helping legacy industries transition to 21st century business models, and expanding entrepreneurship to ensure that the

city is well-represented in fields of the future such as technology and media (2012).

Named as a member of the NYC Conflicts of Interest Board, the City's ethics board (March 2013).

Named to the Board of Directors of Citizens Union Foundation (2013).

### Media References and Appearances

Students Making Up Lost Days as Impact of Storm Lingers, *NEW YORK LAW JOURNAL* (November 2012).

Law Schools, *NEW YORK LAW JOURNAL* (October 2012).

NYLS Creates Pro Bono Initiative to Comply With New State Pro Bono Requirement, *THE NATIONAL JURIST* (September 2012).

Lippman Unveils Rule Detailing Bar Admission Pro Bono Mandate, *NEW YORK LAW JOURNAL* (September 2012).

City Hall Experience Gives New York Law Dean an Edge, *NEW YORK LAW JOURNAL* (September 2012).

## Ronald Filler

### Appointments

Director, Financial Services Law Institute at New York Law School (2012).

Chair, Global Markets Advisory Committee of the U.S. Commodity Futures Trading Commission (CFTC) (2012).

### Scholarly Presentations

Chaired panel of governmental regulators from around the world on the need for global regulatory harmonization of financial laws and regulations, CFTC, Washington, D.C. (November 2012).

Testified at Consumer Funds Protection Roundtable hosted by CFTC, Washington, D.C. (October 2012).

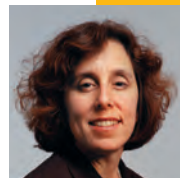
Spoke at over 10 conferences and seminars, within the U.S. and abroad, on a variety of issues relating to the Dodd-Frank Act and its impact on global financial institutions, including a program before 65 government regulators from around the world (2012).

### Projects

Served on Consumer Protections Committee sponsored by the National Futures Association, which developed



Heidi K. Brown



Carol A. Buckler



Kirk D. Burkhalter '04



Eugene Cerruti



Elizabeth Chambliss



Richard Chused



Anthony W. Crowell



Ronald Filler

Kris Franklin



Doni Gewirtzman



Brandt Goldstein



Marcey L. Grigsby



Mariana Hogan



Dan Hunter



Randolph N. Jonakait



Gerald Korngold



Molly Land



Arthur S. Leonard



a series of recommendations regarding the establishment of effective auditing procedures involving financial brokerage firms following the bankruptcy of MF Global and Peregrine Financial Group (2012).

#### **Kris Franklin** **Appointments**

Northeast Regional Coordinator, Council on Legal Education and Opportunity (2012).

#### **Publications**

How We Win, THE HUFFINGTON POST (November 2012) (with C. Fleishman).

#### **Doni Gewirtzman** **Media References and Appearances**

From 1L Lawyering, Learning How to Write, THE LAW SCHOOL MAGAZINE (October 2012).

#### **Brandt Goldstein** **Scholarly Presentations**

Research on the American detention camp at Guantanamo Bay, Cuba, featured in the Guantanamo Public Memory Project Exhibit displayed on the campus of New York University. Presented opening remarks at dedication of the Exhibit in New York City (December 2012).

#### **Publications**

You Kill Me: Why I Don't Want to Live Around People With Guns, THE HUFFINGTON POST (December 2012).

#### **Marcey L. Grigsby** **Appointments**

Member, Public Service Network Committee and Books at the Bar Committee, New York City Bar Association (July 2012).

#### **Scholarly Presentations**

Panelist, "Independent Judicial Screening Panel" for the New York County Democratic Party, New York City (2012).

#### **Projects**

2011-2012 Law Review Diversity Report (October 2012).

#### **Media References and Appearances**

Women Underrepresented as Law Review EICs, Study Finds, THE NATIONAL JURIST (October 2012).

#### **Mariana Hogan** **Scholarly Presentations**

Presented on taking investigational testimony at the Securities and Exchange Commission, Washington, D.C. (November 2012), deposition techniques at Davis Polk, New York (October 2012), fact investigation at Hogan Lovells, Washington, D.C. (October 2012), and examining expert witnesses at Covington & Burling LLP, New York (September 2012).

#### **Dan Hunter** **Media References and Appearances**

More Than Just a Game, THE ECONOMIST (November 2012).

Experts Predict Public Sector Will Embrace Gamification, INNOVATEGOV (November 2012).

The Interplanetary Internet, and a New Book on Gamification, MARKETPLACE TECH REPORT, AMERICAN PUBLIC RADIO (November 2012).

FOR THE WIN: HOW GAME THINKING CAN REVOLUTIONIZE YOUR BUSINESS (Wharton Digital Press, October 2012).

ACTA: It's Time to Rethink, ZDNET (July 2012).

#### **Randolph N. Jonakait** **Scholarly Presentations**

Interviewed Murray Weiss, former Criminal Justice Editor of THE NEW YORK POST and Editor of DNAINFO.COM, for the public speaking organization, Foxhove Association (2012).

#### **Publications**

Confrontation Clause Curiosities: When Logic and Proportion Have Fallen Sloppy Dead, 20 JOURNAL OF LAW AND POLICY 485 (2012).

The Fiscal Crisis as an Opportunity for Criminal Justice Reform: Defenders Building Alliances with Fiscal Conservatives, 28 GEORGIA STATE UNIVERSITY LAW REVIEW 1161 (2012) (with L. Eger).

Finding the Original Meaning of American Criminal Procedure Rights: Lessons from Reasonable Doubt's Development, 10 UNIVERSITY OF NEW HAMPSHIRE LAW REVIEW 97 (2012).

#### **Gerald Korngold** **Publications**

Cutting Municipal Services During Fiscal Crisis: Lessons from the Denial of Services to Condominium and Homeowner Association Owners, 15 NEW YORK UNIVERSITY JOURNAL OF LEGISLATION & PUBLIC POLICY 109 (2012); reprinted in 65 STATE TAX NOTES 243 (2012).

#### **Molly Land** **Scholarly Presentations**

Panelist, "Type for Your Rights: Coding and Campaigning for Human Rights," at the "140 Characters or Less: Human Rights and the Law in the Age of Social Media Symposium," St. Thomas University School of Law, Miami, Florida (October 2012).

Panelist, "Telecommunications and Access to Knowledge," at "Information Society Project 15th Reunion," Yale Law School, New Haven, Connecticut (September 2012).

Featured Speaker, "Toward an International Law of the Internet," at Yale Law School's "Human Rights Workshop," New Haven, Connecticut (September 2012).

#### **Media References and Appearances**

Is There an International Law of the Internet?, DIGITAL AGE ON NYCTV 25 (November 2012).

Cable Companies Say They Won't Disconnect Accused Pirates, CNET (November 2012).

Information and Communication Technologies for Human Rights, Video Interview with Hans-Otto Sano for Danish Institute for Human Rights (July 2012).

#### **Arthur S. Leonard** **Publications**

What Arbitrators Need to Know About Anti-Discrimination Protection for Transgender Employees, DISPUTE RESOLUTION JOURNAL (August-October 2012).

Fifth U.S. Judge Strikes Down DOMA, GAY CITY NEWS (August 2012).

Gay Polygamy?, GAY CITY NEWS (August 2012).

ACLU Seeks Supreme Court Review in Windsor DOMA Suit, GAY CITY NEWS (July 2012).

Appellate Panel Upholds New York's Marriage Equality Law, GAY CITY NEWS (July 2012).

### **Jethro K. Lieberman** **Publications**

LIBERALISM UNDRRESSED (Oxford University Press, 2012).

### **Richard D. Marsico** **Projects**

Led Planning Committee and submitted application to the New York State Education Department to launch the Charter High School for Law and Justice, a first-of-its-kind specialty school to be located in the Bronx. If approved by the Board of Regents, the High School would have formal affiliation with New York Law School and focus on providing a path to a legal career for students from underserved communities (March 2013).

### **Howard S. Meyers** **Media References and Appearances**

Former SEC Counsel: Whistleblower Programme Shortcomings, INTERNATIONAL FINANCIAL LAW REVIEW (December 2012).

DJ Compliance Watch: Facebook Fall-out Not Yet Hitting Arbitration, DOW JONES NEWSWIRE (August 2012).

### **Beth Simone Noveck** **Awards and Recognition**

Served as a judge for Mayor Michael Bloomberg's Reinvent Payphones Design Challenge (February 2013).

Named by FOREIGN POLICY as one of 2012's Top 100 Global Thinkers (December 2012).

### **Media References and Appearances**

Patent Office Tries 'Stack Overflow for Patents' to Find Prior Art, ARS TECHNICA (September 2012).

PTO Adds Crowdsourcing Tool to Patent Application Process, CORPORATE COUNSEL (September 2012).

What the Early 20th Century and the SOPA/PIPA Fight Have in Common, TECHPRESIDENT (September 2012).

### **Michael L. Perlin** **Awards and Recognition**

Accepted the Lifetime Achievement Award at the Human Dignity and Humiliation Studies Network's Annual Meeting, "Transforming Humiliation and Violent Conflict," Columbia University, New York City (December 2012).

### **Scholarly Presentations**

"Considering the 'Alternative Jurisprudences' as a Tool of Social Change to Reduce Humiliation and Uphold Dignity," presented at "Transforming Humiliation and Violent Conflict," Columbia University, New York City (December 2012).

Presented several lectures on a variety of mental disability law, criminal procedure, international human rights, and comparative law topics at the Islamic University Law School, Jogjakarta, Indonesia (October 2012).

"The Death Penalty, International Human Rights Law, Mental Disability, and Therapeutic Justice," at the Annual Conference of the European Society of Criminology, University of the Basque Country, Bilbao, Spain (September 2012).

### **Publications**

Promoting Social Change in Asia and the Pacific: The Need for a Disability Rights Tribunal to Give Life to the UN Convention on the Rights of Persons with Disabilities, 44 GEORGE WASHINGTON INTERNATIONAL LAW REVIEW 1 (2012).

MENTAL DISABILITY AND THE DEATH PENALTY: THE SHAME OF THE STATES (Rowman & Littlefield Press, 2013).

### **Testimonies and Legal Consultation**

As a Fulbright Senior Specialist, consulted with faculty and NGO lawyers

at the Islamic University Law School's Legal Aid clinic in Indonesia. Met with law professors and advocates from Pakistan and South Africa to discuss expansion of online legal education in Korea (October 2012).

### **Michael Roffer '83** **Appointments**

Member, Washington University in St. Louis Libraries National Council (2012).

### **Publications**

THE LAW BOOK: 250 MILESTONES IN THE HISTORY OF LAW (Sterling Publishing, forthcoming, 2014).

### **Ross Sandler** **Scholarly Presentations**

Organizer, City Law Breakfast featuring New York City Health Commissioner, Thomas Farley, speaking on "Using Policy to Promote Health in the Bloomberg Administration," New York Law School (November 2012).

Organizer, City Law Breakfast featuring District Attorney of New York County, Cyrus R. Vance Jr., New York Law School (October 2012).

Organizer, City Law Breakfast featuring Chief Judge of the New York Court of Appeals, Jonathan Lippman, speaking on "Privilege and Duty: The New Pro Bono Bar Admission Requirement in New York," New York Law School (September 2012).

### **Media References and Appearances**

Why the Latest Delay to the Bike Share Program May Not Be the Last, GOTHAM GAZETTE (December 2012).

### **Service**

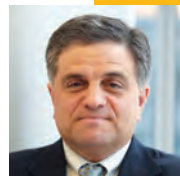
Chairman of the Board of Directors for the Sports & Arts in Schools Foundation, the largest provider of after-school programs in New York City (2012).

### **David Schoenbrod** **Scholarly Presentations**

Panelist, "Environmental Markets" Symposium, George Mason University Law School, Fairfax, Virginia (October 2012).



Jethro K. Lieberman



Richard D. Marsico



Howard S. Meyers



Beth Simone Noveck



Michael L. Perlin



Michael Roffer '83



Ross Sandler



David Schoenbrod



Houman B. Shadab



### Projects

Launched website GOVERNMENTWITHOUTTRICKS.ORG as a corollary to GOVERNMENT WITHOUT TRICKS: HOW TO MAKE IT SERVE THE PEOPLE IN OUR TIME (forthcoming, 2013).

Richard K. Sherwin



### Media References and Appearances

Energy Panel to Review Clean Air Act in a Post-Election World, E&E DAILY (November 2012).

James F. Simon



Environmental 'Citizen Lawsuits' are Equivalent to Ambulance Chasing, Critic Says, LEGAL NEWSLINE (July 2012).

Faith Stevelman



### Houman B. Shadab

### Media References and Appearances

Risk USA: Cross-border Conflicts Could Leave Firms Unable to Comply, RISK.NET (November 2012).

Peter J. Strauss



How Banks Could Have Libor Cases Dismissed, INTERNATIONAL FINANCIAL LAW REVIEW (July 2012).

Nadine Strossen



Who's Speaking to Congress on Reverse Mortgage Matters, Anyway?, REVERSE MORTGAGE DAILY (July 2012).

Ruti G. Teitel



### Richard K. Sherwin

### Media References and Appearances

Serving Justice With Conversational Law, THE FUTURIST (September-October 2012).

Mark Webbink



### James F. Simon

### Publications

John G. Roberts and the Leadership of America's Great Chief Justices, THE WASHINGTON POST (July 2012).

Erika L. Wood



### Scholarly Presentations

Discussed FDR AND THE CHIEF JUSTICE HUGHES: THE PRESIDENT, THE SUPREME COURT, AND THE EPIC BATTLE OVER THE NEW DEAL at Truro Public Library, North Truro, Massachusetts (July 2012).

### Faith Stevelman

### Media References and Appearances

Interviewed on the trajectory of U.S. investor protection legislation from

Sarbanes Oxley to Dodd Frank, CNBC India (August 2012).

### Peter J. Strauss

### Publications

"Freely and Independently": Diluting the Right of an A.I.P. to Retain Counsel in an Article 81 Proceeding, ELDER AND SPECIAL NEEDS LAW JOURNAL (Spring 2012).

### Nadine Strossen

### Scholarly Presentations

Guest Speaker, "Constitution Day Conference" at Lou Frey Institute of Politics, University of Central Florida, Orlando, Florida (September 2012).

Delivered Annual Constitution Day Lecture at Sacramento State University, Sacramento, California (September 2012).

Guest Speaker aboard Alaskan Cruise sponsored by REASON MAGAZINE: Solo presentation, "Current Civil Liberties Controversies"; Panelist, "The Supreme Court's Most Recent and Impending Decisions," Alaska (August 2012).

Guest Speaker at The Foundation for Individual Rights in Education about pressing current freedom of speech issues, Philadelphia, Pennsylvania (July 2012).

### Publications

Equality and Fear, *chapter in* THE CONTENT AND CONTEXT OF HATE SPEECH: RETHINKING REGULATION AND RESPONSES (M. Herz & P. Molnar, eds., Cambridge University Press, 2012).

### Ruti G. Teitel

### Appointments

Fellow, Straus Institute for the Advanced Study of Law and Justice, New York University, New York City (Academic Year 2012-13).

### Scholarly Presentations

Director, organizer, moderator, "Fried-Gal Colloquium on Transitional Justice: International and Comparative Perspectives," at The Hebrew University of Jerusalem, Jerusalem, Israel (December 2012).

"The Regulation of External Self-Determination Under International Law," presented at "Constitutional Design and Ethnic Conflict" at New York University School of Law, New York City (November 2012).

Featured guest at panel to celebrate and discuss HUMANITY'S LAW (Oxford University Press, 2011) at Institut de recherche en Droit International et Européen de la Sorbonne, Université Paris, Paris, France (December 2012).

"Is There a Right to Accountability? Exploring the Jurisprudence of the Inter-American and the European Human Rights Courts" at Cornell Law School's International Law/International Relations Colloquium, Ithaca, New York (July 2012).

### Mark Webbink

### Media References and Appearances

Microsoft Profits from Linux Patent FUD, ZDNET (July 2012).

### Erika L. Wood

### Awards and Recognition

Profiled for website TOPWONKS.ORG for inclusion in directory of the most accomplished, innovative campaign and election experts in the United States (October 2012).

### Scholarly Presentations

"Using First-Year Skills Curriculum to Introduce Client-Centered Lawyering," presented at Legal Writing Institute conference, New York Law School (December 2012).

"Addressing Racial and Social Justice Issues with Students," a Roundtable discussion at the Annual Conference of the Society of American Law Teachers, University of Maryland Francis King Carey School of Law, Baltimore, Maryland (October 2012).

Panelist, "The Impact of Criminal Justice Policies on Minority Communities," at the Southeastern Association of Law Schools Annual Conference, Amelia Island, Florida (July 2012).

# ADJUNCT FACULTY ACTIVITIES

Compiled by Melissa Pentangelo

The following items represent a sampling of the activities of our adjunct faculty from the Fall 2012 semester.

## Karen Artz Ash

### Media References and Appearances

Q&A: Karen Artz Ash, NEW YORK LAW JOURNAL (November 2012).

## Steven Bennett

### Publications

Does *AT&T v. Conception* Justify the Arbitration Fairness Act?, 4 PENN STATE YEARBOOK ON ARBITRATION AND MEDIATION 103 (2012).

The Right to Be Forgotten: Reconciling E.U. and U.S. Perspectives, 30 BERKELEY JOURNAL OF INTERNATIONAL LAW 161 (2012).

## S. Gregory Boyd

### Appointments

Joined Frankfurt Kurnit Klein & Selz PC, as head of the Interactive Entertainment Group in New York City (July 2012).

## Judith Bresler '74

### Scholarly Presentations

Featured Speaker, "Salon Talk on Buying, Selling, and Handling Art" at Art Basel, Miami, Florida (December 2012).

### Publications

ART LAW: THE GUIDE FOR COLLECTORS, INVESTORS, DEALERS & ARTISTS, 4th ed. (Practising Law Institute 2012) (with R. Lerner).

## Amit K. Chhabra

### Publications

Autumnal Rage: Playing With Islamic Fire, 34 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL LAW 389 (2013).

Superpower Responsibility for State Recognition: Charting a Course for Nagorno-Karabakh, 31 BOSTON UNIVERSITY INTERNATIONAL LAW JOURNAL 125 (2013).

## Mark Conrad '81

### Appointments

Director, Sports Business Specialization at Fordham University's Gabelli School of Business in New York (2012).

### Scholarly Presentations

Panelist, "Symposium on Entertainment and Sports Law" at Arizona State University, Tempe, Arizona (October 2012).

## Heather Cucolo

### Publications

Online Mental Disability Law Education, a Disability Rights Tribunal, and the Creation of an Asian Disability Law Database: Their Impact on Research, Training and Teaching of Law, Criminology Criminal Justice in Asia, ASIAN JOURNAL OF LEGAL EDUCATION (2013) (with M. Perlin and Y. Ikehara).

Preventing Sex-Offender Recidivism Through Therapeutic Jurisprudence Approaches and Specialized Community Integration, TEMPLE POLITICAL & CIVIL RIGHTS LAW REVIEW (Fall 2012) (with M. Perlin).

### Projects

Collaborated with Professor Michael L. Perlin and Yoshikazu Ikehara of the Tokyo Advocacy Law Office on creation of a Disability Rights Tribunal for Asia and the Pacific (DRTAP) and expansion of NYLS's online mental disability law program (OMDLP) to include numerous Asian venues (2012).

## Lindsay A. Curcio

### Publications

Are You Trying Social Media Contests to Promote Your Conference?, SOCIAL FISH (July 2012) (with C. Mackler).

## Lenore Davis

### Publications

Power of Attorney in *Perosi v. LiGreci*: How Broad is Broad?, NEW YORK LAW JOURNAL (August 2012).

## Lucas A. Ferrara

### Media References and Appearances

When a Tenant Moves Before a Lease Expires, THE NEW YORK TIMES (September 2012).

A Process Server at the Door, THE NEW YORK TIMES (August 2012).

## Michael Kliegman

### Appointments

Chair, Taxation Committee, American Bar Association Business Law Section (August 2012).

### Scholarly Presentations

Panelist, Bloomberg BNA's 12th Annual "Current Issues in U.S. Taxation of Mergers &

Acquisitions" Conference, Chicago, Illinois (October 2012).

## Lawrence Lederman

### Publications

MAGNIFICENT TREES OF THE NEW YORK BOTANICAL GARDEN (Monacelli Press, 2012), a book of his photographs which were also exhibited in various galleries around the city including the Ross Gallery at the New York Botanical Garden and the Four Seasons Restaurant.

### Media References and Appearances

MAGNIFICENT TREES OF THE NEW YORK BOTANICAL GARDEN received multiple reviews including THE WALL STREET JOURNAL (January 2013), NEW YORK MAGAZINE (December 2012), NEW YORK LAW JOURNAL (December 2012), and THE NEW YORK TIMES "Sunday Book Review" (November 2012).

## Deborah McNamara

### Projects

Launched Fashion Law course at New York Law School (Fall 2012).

## John Meringolo '99

### Publications

Bail Pending Trial: Changing Interpretations of the Bail Reform Act and the Importance of Bail from Defense Attorneys' Perspectives, 32 PACE LAW REVIEW 800 (2012) (with C. Kalhous).

### Media References and Appearances

\$\$-Man Ecstasy Probe, THE NEW YORK POST (September 2012).

### Testimonies and Legal Consultation

In *United States v. Ofer Biton*, representing Ofer Biton, an Israeli national charged with conspiring to make false statements in an immigration application, in an ongoing trial (2012-13).

## William R. Mills

### Appointments

President, Law Library Association of Greater New York (July 2012).

### Publications

Tablets and Mobile Device Management, *chapter in* LAW LIBRARIES IN THE DIGITAL AGE (Scarecrow Press, forthcoming, 2013).



#### Udi Ofer

##### Publications

Column: To Help Close the Achievement Gap, Address Stop-and-Frisk, NEW YORK CIVIL LIBERTIES UNION (July 2012).

#### F. Peter Phillips

##### Awards and Recognition

Wrote and co-directed four films that received "Best Publication" honors from London's Center for Effective Dispute Resolution. The films, produced by Harvard's Kennedy School of Government, document the use of mediation in disputes between corporations and the communities in which they operate and feature conflicts arising from a copper mine in Peru, a hydroelectric operation in the Philippines, and an oil and gas site in the Delta State of Nigeria (2012).

#### Appointments

Chair, Dispute Resolution Committee of the American Bar Association Business Law Section (August 2012).

#### Mitchell Rubinstein

##### Publications

Employees, Employers and Quasi-Employers: An Analysis of Employees & Employers Who Operate in the Borderland of an Employer-Employee Relationship, 14 UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW 605 (2012).

#### Richard J. Sobelsohn

##### Scholarly Presentations

Panelist, "Green Leases: Tools, Tips, and Best Practices for Drafting," American Law Institute CLE Webinar (November 2012).

#### Publications

The Green Shopping Center, ALM COMMERCIAL LEASING LAW & STRATEGY NEWSLETTER (August 2012).


#### Charles Weiss

##### Appointments

Joined the law firm of Holland & Knight as Partner and head of its Intellectual Property Group in New York City (August 2012).

#### Michelle Zierler

##### Media References and Appearances

The Theater's 12 Greatest Courtroom Dramas, ABA JOURNAL (August 2012). 



# LASIS Wins Big!

*Legal As She Is Spoke (LASIS)*, the Program in Law and Journalism's blog, was voted number one fan favorite in the News/Analysis category of the 2012 *ABA Journal's* Blawg 100 list. The student-run blog reports on the state of legal journalism and encourages conversation about the accuracy and felicity of reporting on law.

[www.lasisblog.com](http://www.lasisblog.com)

## Professor Edward A. Purcell Jr. Named 2013 Outstanding Scholar by The Fellows of the American Bar Foundation



Professor Edward A. Purcell Jr. received the 2013 Outstanding Scholar Award from The Fellows of the American Bar Foundation. This award is given annually to a member of the academy who has engaged in outstanding scholarship in the law or in government. Professor Purcell is a renowned historian whose scholarship focuses on the U.S. Supreme Court and the federal judicial system. He was honored at the Fellows' 57th Annual Awards Banquet on February 9 at the Belo Mansion in Dallas, Texas. Below are his remarks from the banquet:

### THIS AWARD IS A WONDERFUL HONOR FOR WHICH I AM PROFOUNDLY GRATEFUL.

I want to express my deepest thanks to the American Bar Foundation and the Foundation's Fellows. My thanks, too, to the Foundation's staff for the lovely chocolate-covered strawberries and champagne they placed in my hotel room.

I must also thank my wonderful wife, Rachel Vorspan, who is also a historian and law professor, and my equally wonderful daughter, Jessica, both of whom traveled here to join me on this memorable occasion.

More broadly, and far more importantly, I must thank the Foundation and its Fellows for establishing this award as part of their effort to fulfill a noble mission: "advancing justice through rigorous research on the law, legal practices, and the law's impact on our society."

As you are well aware, American law schools—and to some extent the entire legal profession—are enduring particularly difficult times. The Internet, globalization, political pressures, economic constraints, and drastic changes in the way legal services are delivered are challenging us all.

Law schools—like schools at all levels—must, of course, always adapt to changing conditions, and they must always strive to improve both what they teach and how they teach it.

But law schools must also remain true to the fundamental core of all truly professional and higher education: expanding and spreading human knowledge, developing and evaluating innovative ideas, fostering rigorous and critical thinking, and inspiring intellectual curiosity and creativity.

Lawyers are—and they must be—far more than rote mechanics, and law schools consequently must be far more than trade schools. Together, in fact, lawyers and law schools are the professional trustees of the American legal system, of our democratic constitutionalism, and of our precious and shared freedoms.

To fulfill our obligations as trustees—and to better understand and thereby help preserve our legal and constitutional heritage—searching, deeply informed, and fearlessly independent scholarly inquiry is essential. Such inquiry is the foundation of intellectual vitality, the incubator of social progress, and the guardian of integrity in our legal and political institutions.

Such inquiry is, moreover, a communal process. Sir Isaac Newton wrote that he was able to see farther because he stood on the shoulders of giants, but in our world—with its infinite complications and baffling complexities—scholars must stand not only on the shoulders of giants but on the shoulders of tens and hundreds of thousands of fellow scholars with wide-ranging skills and specialties. None among us could possibly identify all of the countless numbers of predecessors and colleagues who have awakened our curiosity and guided our understanding.

So, in these testing times when law schools, and higher education generally, are under acute pressures, I must thank you not just for honoring me but, far more important, on behalf of teachers and scholars everywhere—whose combined and multitudinous contributions are our intellectual sustenance—to thank you for sponsoring this award and thereby annually recognizing the inestimable worth of scholarship in advancing both our understanding of the law and our quest for equal justice under that law. **f**






## CAREER CONNECTIONS EVENTS

The Law School's popular series of Career Connections events continued during the Fall 2012 semester. Each gathering featured a diverse mix of some of our most distinguished alumni working in specific practice areas. The alumni speakers shared how the legal training they received at New York Law School prepared them for success in their careers, and offered students insights into how to build their own careers.

On **August 30**, Peter Steckelman '93, Senior Vice President of Legal and Business Affairs for the Tennis Channel, presented *Tennis Channel, Inc. v. Comcast Cable Communications, LLC: A Case Study of Television Distribution and the FCC*. The presentation provided alumni and students with an in-depth look at a current case and the circuitous route through the courts it took to reach a decision.

On **September 12**, the Law School welcomed back alumni working in the health care industry. Guest speakers included Susan J. Flynn-Hollander '85, Vice President and Corporate General Counsel at Robert Wood Johnson University Hospital; Rick Chung '97, General Counsel and Chief Compliance Officer at Medivo; and Michael Yorio '02, Administrator at the New York State Office of Alcoholism and Substance Abuse Services (OASAS).

On **October 17**, the Law School featured one of the fastest growing industries in the legal field: compliance. Eric L. Ross '95, Senior Managing Director and Chief Compliance Officer at Avenue Capital Group; Barbara A. Keller '98, Chief Compliance Officer-Investment Advisor at Barclays Capital.; and Deena M. Novick '05, Chief Compliance Officer at Calypso Capital Management, were our featured alumni speakers. 










## REGIONAL RECEPTIONS

On **September 27, 2012**, more than 60 alumni living and/or working on Long Island came together at Carlton on the Park for a reception hosted by New York Law School Board Member Anthony A. Capetola '70. Guests had the opportunity to network with one another while meeting Dean and President Anthony W. Crowell.

On **October 4, 2012**, New York Law School Board Member John J. Reddy Jr. '79 and his wife, Christa H. Reddy '79, opened their home for a special reception welcoming Dean and President Anthony W. Crowell for alumni living and/or working in New Jersey. A highlight of the evening was the spectacular New York Law School cake created by one of the Reddys' daughters, Marie. 





## Send us your news!

New York Law School Magazine would like to hear from you! Please let us know about your professional accomplishments, personal milestones, and/or any other news you would like to share with the New York Law School community. Send us your news via e-mail to [magazine@nyls.edu](mailto:magazine@nyls.edu) or via the Web at [www.nyls.edu/magazine](http://www.nyls.edu/magazine).

Compiled by Melissa Pentangelo

# CLASS NOTES

## 1958

**Alan Moss** writes that he was appointed Chair of the New York City Water Board by Mayor Michael R. Bloomberg. He was also invited to serve as Chair of Chief Administrative Judge of the State of New York A. Gail Prudenti's newly created small claims improvement committee. He works at Dome Associates Inc. in New York City.

## 1965

**Howard Capell** writes that he received an Honorary Doctor of Laws degree from Concordia College. He is a partner at Capell, Barnett, Matalon & Schoenfeld LLP in Jericho, New York, where he specializes in tax and charitable and religious entities.

## 1975

**Jonathan Ellman** writes that he was named one of *Massachusetts Lawyers Weekly's* 2013 In-House Leaders in the Law. He is General Counsel at Litle & Co. in Lowell, Massachusetts. (Litle & Co.)

**John Greene** was named an Angel in Adoption by the Congressional Coalition on Adoption Institute for his work helping families realize their dreams of parenting through adoption. He is an adoption attorney at Cohen & Greene P.A. in Annapolis, Maryland. (American Academy of Adoption Attorneys)

**Stephen Gurwitz** writes that he received a Certificate of Appreciation from the U.S. Attorney for the District of Columbia for his

contribution to the investigation of a multi-million-dollar procurement fraud and public corruption prosecution. He is a senior asset forfeiture investigator for the U.S. Department of Defense, Office of Inspector General, in Alexandria, Virginia.

## 1977



**Christopher Curtin** was named one of the top lawyers in the state for 2012 by *Delaware Today* magazine for his accomplishments in civil litigation and personal injury practice. He is a partner at MacElree Harvey in Westchester, Pennsylvania, where he practices consumer law, local government and corporate ethics, civil litigation, and personal injury law. (MacElree Harvey)

## 1980

**Paul Capofari** writes that after over 20 years of service to his community of Staten Island as Assistant District Attorney, he has retired to start a private legal practice called Capofari Law PC, with his son in Staten Island, New York.

## 1981

**Mark Conrad** was named Director of Sports Business Specialization at Fordham University's Gabelli School of Business in New York City. He is an Associate Professor of Law and Ethics at Fordham University and an adjunct at NYLS.

## 1984

**Reverend Cornell Edmonds** writes that he launched a faith-based leadership program for his congregation at the Featherbed Lane Presbyterian Church in the Bronx. He led a congregation transformation retreat in January 2013.



**Eric Gurgold** presented "ABC's of Charitable Remainder Trusts" at the Southwest Florida Community Foundation in Fort Meyers, Florida, in November 2012. He is a stockholder at Henderson, Franklin, Starnes & Holt P.A., where he concentrates his practice in estate planning, title insurance, elder law, probate litigation, title insurance claims related to probate issues, business law, and taxation. (Henderson, Franklin, Starnes & Holt)

## 1985

**Nicholas Pellitta** successfully argued before the New Jersey Supreme Court on behalf of Rutgers University in *D.D. v. University of Medicine and Dentistry of New Jersey*, reversing a lower court decision. He is an attorney at Norris McLaughlin & Marcus P.A. in Bridgewater, New Jersey. (Norris, McLaughlin & Marcus P.A.)

## 1986

**Melise Blakeslee** writes that she will publish the third edition of her book, *Internet Crimes*,



*Torts & Scams: Investigation & Remedies*, with Oxford University Press in late 2013. She is founding principal and managing partner at Sequel Technology & IP Law PLLC in Washington, D.C.

**Daniel Oates** was honored with the inaugural Dean's Award for Excellence in Leadership and Service, presented by New York Police Department Commissioner Raymond Kelly, at New York Law School's annual alumni gala for his service as Chief of Police for the city of Aurora, Colorado and his leadership in handling the aftermath of the tragic shooting at the Century 16 movie theater. (New York Law School)

## 1988

**Scott Cagan** was recognized in *Super Lawyers'* 2012 Top 100 Miami Florida for his accomplishments in labor and employment law. He is a shareholder at GrayRobinson P.A. in Fort Lauderdale, Florida.

## 1990

**James Dixon** writes that he was appointed Secretary of the Association of Corporate Counsel's Energy Committee. In July 2012 he co-authored the article, "Top Ten Legal Challenges Facing Alternative Energy Sources," and participated in the Association of Corporate Counsel's Annual Program, "How to Manage an Electric Generation Project," in October 2012. He is Vice President of Legal Services for Con Edison Energy and Chief Legal Officer for Con Edison Development in New York City.

## 1991

**Daren Domina** joined Haynes and Boone LLP in New York City as a partner in the Investment Funds and Private Equity Practice Group in September 2012. (Hayes and Boone)

**Jennifer Manner** joined the Englewood, Colorado, office of EchoStar Corporation as Vice President of Regulatory Affairs in December 2012. (Echostar)

## 1994

**Reed Podell** writes that in November 2012, he joined the law firm Milber Makris Plousadis & Seiden LLP as partner in Rochelle Park, New Jersey. He focuses his practice on insurance coverage, labor law, premises liability, and appeals.

## 1995

**Maurice McLaughlin** published *NJ Public Employment Law, Education Edition* (2012) with Gann Law Books. He is a founding member of McLaughlin & Nardi LLC in Totowa, New Jersey, where he leads the firm's litigation practice. (Gann Law Books)

## 1996

**Marc Held** writes that he and his partners have acquired Lazarowitz & Manganillo LLP, one of Brooklyn's oldest and largest law firms. They renamed the practice Held & Hines LLP and will continue to focus on litigation of personal injury and real estate matters in New York City.

## 1997

**Brian Peknic** and **Charles Peknic '93** were recipients of an ALM Law Firm Relief Project grant after their Long Beach, New York practice, Peknic, Peknic & Schaefer, was destroyed by flooding during Superstorm Sandy. The brothers are partners at the firm and rebuilding. (*New York Law Journal*)

## 1999

**Elura Nanos** and **Michele Sileo** write that they premiered their television show, *Staten Island Law*, on the Oprah Winfrey Network in January 2013. They appeared on *Anderson Cooper Live* to mediate an on-air dispute and were featured in articles in the *Daily News* and *ABA Journal* in January 2013. They co-founded Lawyer Up, an educational company for law students.

## 2000

**Marc Bender** writes that he has been appointed Senior Managing Director and Global Head of Acceleration and Seeding at Cantor Fitzgerald in New York City. He will be responsible for building an acceleration, incubation, and seeding platform that leverages the firm's established infrastructure, global distribution, and strong capital base.

**Danielle Butler** writes that she has rejoined the law firm Hill, Betts & Nash LLP as partner in the Fort Lauderdale, Florida, office. Her practice focuses on transactions and litigation concerning yachts, pleasure vessels, commercial vessels, and luxury assets such as jets, fine art, jewels, and real estate.

## 2001

**Salvatore Strazzullo** was profiled by *The New York Times* for his representation of high-profile cases involving New York City bars, clubs, and night life in August 2012. He is president of Strazzullo Law Firm in New York City. (*The New York Times*)

## 2002

**Madelyn Calabrese** joined the New York City office of Haynes and Boone LLP as a partner in the Investment Funds and Private Equity Practice Group in September 2012. (Hayes and Boone)

**Cynthia Mitchell** joined the New York City office of Seyfarth Shaw LLP as a partner in the Real Estate Practice Group in January 2013. (Seyfarth Shaw)

## 2006

**Abbey Horwitz** joined Norris, McLaughlin & Marcus P.A. in Bridgewater, New Jersey, as an associate in the Estates Planning and Administration Group in November 2012. (Norris, McLaughlin & Marcus P.A.)

**Harlan B. Thompson** has been named partner at the law firm Pulvers, Pulvers & Thompson LLP in New York City. He focuses his practice on personal injury and medical malpractice litigation. (Pulvers, Pulvers & Thompson LLP)

## 2007



**Catherine Curcio** was appointed to the Board of Directors of the Third Street Alliance for Women and Children, a not-for-profit agency located in Easton, Pennsylvania, that provides services to help improve the quality of life for women and children of the community. She is an associate in the Allentown, Pennsylvania office of Norris McLaughlin & Marcus (Norris McLaughlin & Marcus)

**Jennifer Nelsen** was appointed to the Board of Directors of the Nature Discovery Center in Houston, Texas in November. She is a litigation associate in the Houston, Texas, office of Weil, Gotshal & Manges LLP. (Nature Discovery Center)

## 2008

**Johanna Miller** published "Students Need the Right Sex Ed," an op-ed in the *Albany Times Union* in September 2012. (*Times Union*)

**Rory Clark** writes that he expanded his real estate brokerage, Elevated Realty, to Halstead Property LLC, in Manhattan in October 2012. He joins as Vice President and Associate Broker, specializing in brokering transactions on behalf of high net worth sellers, buyers, investors, and landlords in condominium, cooperative, and townhouse residential real estate transactions. He was elected as Board member of the New York Law School Alumni Association for the 2013-14 term.

## 2009



**Sarah Moskowitz** joined The Law Office of Stephen J. Silverberg PC in Roslyn Heights, New York, as an associate in the Elder Law and Estates & Trusts Practice Group in November 2012.

**Kyce Siddiqi** writes that he has just returned to New York after two years working in Afghanistan as a Justice Advisor for a U.S. State Department project. His work there aimed to promote accountability, transparency, and the rule of law in Afghanistan's criminal justice system.



**Manleen Singh** joined Robins, Kaplan, Miller & Ciresi LLP as an associate in the Business Litigation Group in the firm's Boston, Massachusetts, office in January 2013. (Robins, Kaplan, Miller & Ciresi LLP)

## 2010

**Matthew Corwin** joined the Garden City, New York, firm of Stagg, Terenzi, Confusione & Wabnik LLP in January 2013, where his practice focuses on commercial litigation. (Stagg, Terenzi, Confusione & Wabnik LLP)

**Maria McGinley** writes that she published "What Are Your Legal Entitlements Now That Your Child Has Been Diagnosed on the Autism Spectrum?" in the Fall 2012 issue of *Autism Spectrum News*. Additionally, she presented numerous CLE seminars, including "Bullying and the Law," "Administrative Litigation: A Look into NYC Special Education Law," and "Ethics in the Field of Special Education," and was a featured presenter at YAI Network's 32nd Annual International Conference on Intellectual and Developmental Disabilities in the spring of 2013. She is an associate at Mayerson & Associates in New York City.



**Dr. Salvatore Pizzuro** was honored by the New Jersey State Legislature for his lifetime contribution to disability policy in December 2012. He is a disability policy specialist, learning consultant, transition specialist, and parent/family advocate. (*The Alternative Press*)




## 2011

**Trevor Timm** writes regular blog posts for the Electronic Frontier Foundation and published various articles on the topics of NSA warrantless wiretapping and the Bradley Manning WikiLeaks trial. He co-founded the Freedom of the Press Foundation, a nonprofit organization dedicated to helping promote and fund independent, public-interest journalism. (*The New York Times*, *The Guardian*, *Antiwar.com*)

## 2012

**Peter Czarnocha** published "International Adoption Basics" in *S.I. Parent* in November 2012. He is a compliance intern at DelMar Asset Management LP in New York City. (*S.I. Parent*)

**Gregory Salton** joined the New York City office of Haynes and Boone LLP as an associate in the Real Estate Practice Group in September 2012. (Haynes and Boone LLP) 



## CHRISTINE SANCHEZ '12

By Andrea Juncos

When Christine Sanchez '12 entered New York Law School, she planned on pursuing employment law. But after taking courses in criminal law, procedure, and sentencing, she realized criminal law was her calling.

"I learned that we do not have a system of equal justice for all," she says. "And that doesn't sit well with me."

As an Evening Division student, she applied for a "For-Hire" license with the Taxi and Limousine Commission and worked as a chauffeur on weekends so she could participate in the Law School's Criminal Defense Clinic, led by Professor Frank A. Bress and Adjunct Professor Faith Colangelo. Students in the year-long clinic handle real cases in Manhattan Criminal Court under the supervision of seasoned defense lawyers, and participate in weekly seminars focused on substantive criminal law.


Sanchez was paired with mentor attorney Nicole Bromberg at the Legal Aid Society, who gave her direct feedback as she worked on cases at all stages in the criminal process, from arraignment to trial.

"Professor Bress could not have matched me more perfectly with my mentor attorney," Sanchez says. "On day one, she told me, 'This is your internship; make of it what you want.' So basically, I had the opportunity to do the job that I am doing now."

That work included going to all of Bromberg's arraignment shifts, interviewing clients on her own, and reviewing the details of each case with her mentor. For one case, Sanchez made a memorable visit to Rikers Island to interview a client, walking through several intimidating layers of security to get to the interview room. For another, she successfully opposed a motion by the Manhattan District Attorney to consolidate two charges (on two different dates) against a defendant. And for her final case, she came back after classes ended to wrap up the case, for which she won a motion to dismiss for lack of a speedy trial.

Sanchez says the experience was excellent preparation for practice. "I feel like I have such a grasp on what is expected of me and what I was about to be thrown into because of the Clinic." In addition to her clinic professors, she credits several other professors in the Law School's clinical program with helping her develop the skills she needs on the job, including Professor Sadiq Reza, who taught her Criminal Procedure, and Professor Mariana Hogan, who taught her Trial Advocacy. "We have amazing professors and phenomenal programs."

And that preparation has paid off. Today, Sanchez is a staff attorney with the Legal Aid Society's Criminal Defense Practice. Among her cohort of 70 new attorneys in criminal defense, six are graduates of NYLS—an impressive percentage that she sees as no accident.

"Those of us who were in New York Law School's Criminal Defense Clinic have a far greater grasp on the training material than the other new attorneys in our cohort," she says. "We were very well trained. In fact, after a recent client interviewing workshop, I was asked where I previously 'practiced.' Imagine how surprised the faculty was to learn that my skills were attained through participation in a clinic and trial advocacy class." 





A low-angle, upward-looking photograph of the New York Law School building. The building is a modern skyscraper with a glass facade and a section of light-colored stone or concrete. The words "NEW YORK LAW SCHOOL" are written vertically in large, blue, three-dimensional letters on the glass part of the building. The sky is a vibrant blue with scattered white clouds. The perspective makes the building appear to be reaching towards the top of the frame.

The 2012  
Honor Roll of Donors and Annual Report  
is now online at  
**[www.nyls.edu/alumni](http://www.nyls.edu/alumni)**



# JERRY FINKELSTEIN '38

By Ruth Singleton

The New York Law School community mourns the passing of Jerry Finkelstein '38, a former publisher of the *New York Law Journal*, an influential figure in business and politics, and a New York Law School trustee emeritus, who died at his home in Manhattan on November 28, 2012. He was 96.

Born in New York City in 1916, Finkelstein attended George Washington High School, New York University, and New York Law School. According to his obituaries in *The New York Times* and the *New York Law Journal*, he never took the bar exam, but instead embarked on a remarkable career marrying publishing, politics, and business.

In 1939, Finkelstein started up *The Civil Service Leader*, a newspaper for public employees. In 1963, he bought the *New York Law Journal* for \$1 million and transformed it from a dull listing of court decisions and calendars to a lively newspaper. He operated both newspapers through ABC Industries, which also published law books and ran legal seminars and an antiques show. Finkelstein sold the *Law Journal* in 1983, but stayed on as publisher until 1988. In 1994, along with *New York Times* reporter Martin Tolchin, he founded *The Hill* in Washington, D.C., an influential newspaper that covers Congress. He also acquired News Communications, a chain of weekly newspapers from Manhattan to Montauk. His son James Finkelstein, who worked closely with him in his publications enterprises, succeeds him as chairman of *The Hill* and other publications.

Finkelstein became widely known as a power broker who advised mayors, governors, and presidents. In 1949, he managed the re-election campaign for New York City Mayor William O'Dwyer. He later raised money for the mayoral campaigns of Robert F. Wagner and John V. Lindsay, and for the presidential race of Senator Robert F. Kennedy in 1968. In 1972, Governor Nelson A. Rockefeller named him a commissioner of the Port Authority of New York and New Jersey, a position he held for three years. Finkelstein also promoted the political career of his other son, Andrew J. Stein, who served as Manhattan borough president and City Council president in the 1970s and '80s and ran for mayor in 1993.

Finkelstein made his mark in business primarily through Struthers Wells, an engineering conglomerate, where he was retired chairman. He also branched into real estate and public relations.

Finkelstein served on New York Law School's Board of Trustees from 1965 to 1980, when he became trustee emeritus.

Finkelstein was married to the former Shirley Marks, who died in 2003. The Law School community extends condolences to his two sons, eight grandchildren, and two great-grandchildren. **F**

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November 28, 2012

Class of 1951 • **Robert Mellor**  
February 8, 2012

Class of 1951 • **Stanley Ostrau**  
December 10, 2012

Class of 1951 • **Elihu Hendon**  
May 22, 2013

Class of 1952 • **Salvatore Frascinella**  
May 12, 2013

Class of 1957 • **Robert A. Scher**  
January 24, 2013

Class of 1958 • **James Martin Coolahan**  
January 14, 2013

Class of 1959 • **Arthur K. Sirkis**  
January 15, 2013

Class of 1960 • **William J. Hayes**  
October 3, 2009

Class of 1962 • **Bernard Francis Crowe**  
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April 30, 2013

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Class of 1966 • **Anthony Cutrona**  
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Class of 1968 • **Gerald Flynn**  
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August 5, 2013

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October 21, 2010

Class of 1978 • **Charlie Walker**  
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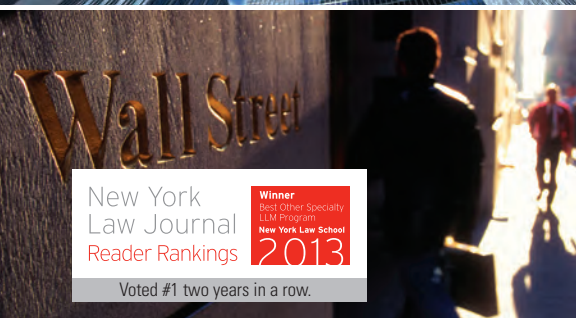


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**For further information, contact Professor Michael L. Perlin at 212.431.2183 or e-mail [MDL@nyls.edu](mailto:MDL@nyls.edu).**

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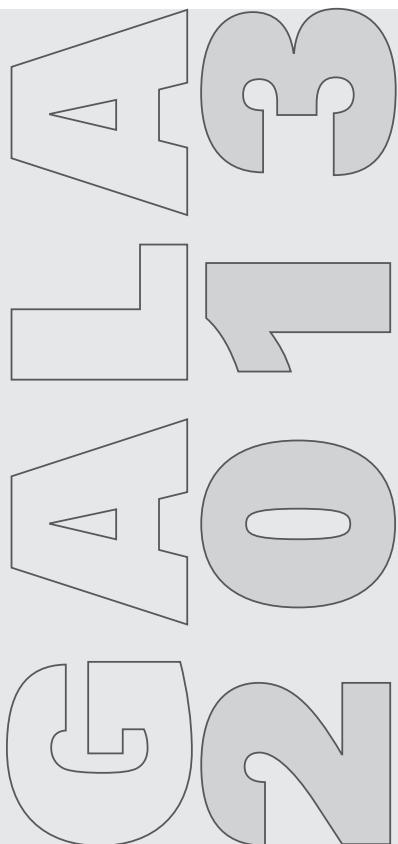
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